

## EXTENSIONS OF REMARKS

### SPECIAL 80TH BIRTHDAY TRIBUTE TO SYLVIA ENGEL

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. ENGEL. Mr. Speaker, of the many things I've put into the CONGRESSIONAL RECORD, this one gives me the most pleasure. Today, on June 29, 2000, my mother is celebrating her 80th birthday.

My mother, Sylvia Engel, or SeRoy as everyone calls her, has always been the proverbial "live wire." When I was a little boy, she would take me to see her roller skate in the roller derby practices. She also is an accomplished actress, and would perform on stage in community and off-Broadway shows. I always say that my ability to speak in front of groups stems from watching my mother do the same, since I was a little boy. She was always very outgoing and to this day goes bowling every week, and until just a few years ago directed the singing and dancing shows at her condominium in Florida.

My mother has always been a very kind person, loving and caring to her family, one, who along with my father always taught me right from wrong, and stressed education as the key to elevating oneself in helping to gain a better future.

My mother and my father, Phil, had the benefit of 47 wonderful years of marriage together, where they worked hard and struggled to provide a good life for me and my sister, Dori. Today, my mother is grandmother to 11 children. Pat and I have given my mother 3 grandchildren: Julia, Jonathan and Philip, and Dori and Jordan have given my mother 8: David, Rachel, Yosef, Yacov, Naomi, Malky, Esty, and Ricky.

My mother was born in New York City as the second child of Eastern European Jewish immigrants, Yudis or Julia and Joe, who came to this country, like so many others, for a better life. Her mother, my grandmother, Julia, lived with us when I was growing up and raised my mother and her sister Bea and brother Irving, because she was widowed at an early age. My mother, who they tell me was a "tomboy" growing up, learned to be self-reliant and resilient at an early age, traits which she still manifests today.

Mr. Speaker, I want to tell my mother how very much I love her and what a tremendous inspiration she is to me today and has been so my whole life. I hesitated entering this into the CONGRESSIONAL RECORD and giving her a surprise party, because she doesn't look her age, and doesn't want too many people to know. But having achieved this milestone is something of which to be proud, especially after two heart surgeries and a lifetime of giving herself to family, friends, and everyone with whom she's come into contact. With my mother, one can certainly say she may be one year older than last year, but she'll never be old.

Congratulations, and Mazel Tov, mom. May you have many, many more years of life's pleasures, and may you continue to brighten the lives of all those you touch.

### MEDICARE RX 2000 ACT

SPEECH OF

**HON. ERNEST J. ISTOOK, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. ISTOOK. Mr. Speaker, I want prescription drugs to be available and affordable, but this is not the way to do it. If something is overpriced, it's nonsense to have government step in and agree to pay that inflated price. That is not good stewardship of public money.

Congress should be holding hearings about price-fixing allegations, and about whether there is price-gouging of American patients, to subsidize overseas sales of prescription drugs. But if costs are exorbitant, it's wrong-headed to use tax dollars to pay those inflated prices. That will not bring the prices down.

Instead, there is a stampede to buy the votes of senior citizens, by spending enormous amounts of taxpayers' money on a new entitlement. I'm not joining that stampede to buy votes with taxpayers' money. I'm disappointed that fellow Republicans would abandon principles to buy votes with promises of a huge new government program. Yet the Democrat plan is worse; its cost is about double. Both sides are in a bidding war, and both are bidding with taxpayers' money.

The cost of the GOP plan is not "only" \$8 billion a year. The official projection says it soon will be \$28 billion a year and probably it will be even higher. It would be automatic spending, which would go on forever. This is how our national debt was created, and why it's so tough to balance the budget and pay down the debt.

Medicare is already in major financial trouble. You don't fix it by adding more spending, when it's already costing too much and delivering too little.

For example, if the foundation of your house is crumbling, you don't build a new third story. Instead, you fix the foundation before you consider adding on. That's what we should do with Medicare.

Medicare's government bureaucracy doesn't even pay hospitals (especially rural hospitals) the cost of the care they provide. That drives up medical costs for everyone who is not on Medicare. This is part of what we should fix first, before promising an new expensive benefit.

### CELEBRATING THE HISTORY OF THE MOTHER ROAD: BARSTOW OPENS A ROUTE 66 MUSEUM

**HON. JERRY LEWIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. LEWIS of California. Mr. Speaker, this will be a very special Independence Day in Barstow, California where we will celebrate the opening of a museum commemorating Route 66, the Mother Road that led millions of Americans west to the promise of unlimited dreams and horizons in the Golden State.

The opening of the museum on July 4 will provide a delightful reminder that the towns and cities of my district provided the hospitality and welcome to most of those Americans making the long drive West. Barstow was—and remains—a friendly oasis from the hours-long drive across the great Mojave Desert.

Visitors will have a chance to remember the exciting early days of driving America's highways with old photographs, road signs and a vintage 1926 Dodge touring sedan. The museum has visionary plans of returning Barstow to its status as a way station along the desert highways.

It is especially commendable that this museum will be an anchor for another older reminder of the history of Western travel: The Casa del Desierto Harvey House, a historic stop opened for travelers in 1911 on the Santa Fe Railway's trains to and from California. Thousands of train travelers each year stopped to marvel at this towering adobe palace and be served food by the famous Harvey Girls in its elegant dining rooms. This magnificent depot and hotel, which has been placed on the National Register of Historic Places, has been fully restored and returned to use through the efforts of Barstow's civic leaders and volunteers.

The location of the Route 66 Museum in this historic railroad structure will provide modern travelers with a fascinating window into the past, and should make Barstow even more of a popular stopover along desert highways.

This new museum will add to the reputation of San Bernardino County as one of the top destinations for those who are fans of Route 66 history. It joins another fine museum in Victorville, another historic Mojave Desert way-station, and the San Bernardino Route 66 Rendezvous classic car festival, which draws 600,000 visitors each September in one of the nation's largest free-admission events.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Barstow and its citizens for renewing their city's rightful place as one of the welcoming points to California, and one of the highlights along Route 66, the Mother Road.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RENAMING THE JANESVILLE, WISCONSIN POST OFFICE THE LES ASPIN POST OFFICE BUILDING

**HON. THOMAS M. BARRETT**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BARRETT of Wisconsin. Mr. Speaker, I appreciate the opportunity to share with my colleagues my great pride and respect for former colleague and friend, Les Aspin. I wholeheartedly support renaming the Janesville, Wisconsin Post Office as the Les Aspin Post Office.

Les Aspin was born in Milwaukee, Wisconsin in 1938. He graduated summa cum laude from Yale University, and later received a degree in politics, philosophy and economics from Oxford University. He completed his doctorate in economics at the Massachusetts Institute of Technology. From 1969 to 1971, Aspin was distinguished professor of international policy at Marquette University in Milwaukee, Wisconsin.

In 1971, Aspin was first elected to the United States House of Representatives from the First Congressional District of Wisconsin. During his 22 years in the House, his interest and dedication to international security, defense and arms control earned him Chairmanship on the House Armed Services Committee from 1985 to 1993. Following his tenure in Congress, he served as Secretary of Defense from 1993–1994 in the cabinet of President William J. Clinton. His unparalleled expertise and influence on Department of Defense issues have guided the development of a comprehensive defense policy for the United States.

In 1994, the Marquette University Les Aspin Center for Government was founded in his honor. The Aspin Center was established under the same ideals and integrity with which Dr. Aspin conducted his political career. The Aspin Center is designed to educate future leaders by giving students an opportunity to participate in the American political process through Congressional internships.

On May 21, 1995, our dear friend and esteemed colleague passed away at the age of 57. It is my honor to have served Wisconsin with the distinguished Dr. Les Aspin, and I believe that it is fitting for his memory to be honored in the district in which he served.

**LEGISLATION TO HELP VETERANS INFECTED WITH THE HEPATITIS C VIRUS**

**HON. J.D. HAYWORTH**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. HAYWORTH. Mr. Speaker, I am pleased to join my good friends from New York and Nevada, Chairman JACK QUINN and Congressman JIM GIBBONS, on introducing this important legislation that will help veterans infected with the hepatitis C virus to be treated and compensated by the Veterans Administration.

Hepatitis C is a potentially life-threatening disease that can affect the liver and lead to cirrhosis, liver cancer, and death. It is a slow,

progressive disease that advances over 10 to 30 years. It is no wonder that hepatitis C wasn't identified until 1989. Hepatitis C is a blood-borne disease that is transmitted through blood contact. Those at high risk include patients who had hemodialysis, patients who had blood transfusions or organ transplants, and healthcare professionals (such as health care workers or medics) who may have come in contact with infected blood, instruments or needles.

Another high-risk population is our nation's military veterans. In fact, hepatitis C continues to be diagnosed at an alarming rate among our veteran population. The Veterans Administration estimates that 6.6 percent of veterans are infected with hepatitis C, a rate more than 3 times that of the general population. Of all of the military veteran populations who tested positive for hepatitis C throughout VA medical facilities nationwide in March 1999, Vietnam-era veterans accounted for 64 percent of the cases.

What prevents the VA from treating and compensating these infected veterans is the slow progression of the disease and the recent discovery of it. In most cases, more than a decade has passed from infection to discovery. For example, a medic treating a wounded comrade in Vietnam in 1967 could have been infected with the virus, but not tested positive nor shown symptoms until some 10 to 30 years later. The 1973 fire at the National Personnel Records Center in St. Louis and less-than-stellar military personnel record keeping only compounded the problem.

Our legislation gives presumptive service connection to hepatitis C infected veterans who most likely contracted it through handling blood, blood transfusions or hemodialysis. These criteria will cover combat field medics, doctors or medical personnel who handled blood, and soldiers who gave blood to save a buddy's life or received blood to save their own. Studies show that 365,000 blood transfusions were performed among U.S. personnel in Vietnam between 1967 and 1969 alone. At the same time, blood supplies shipped to Vietnam in the late 1960s and early 1970s had a high rate of infection. An NIH study at this time showed that 7 to 10 percent of all patients who received a blood transfusion during surgery developed hepatitis C.

Chairman QUINN, Mr. GIBBONS and I applaud the VA for its outreach program to identify and treat veterans. We also commend the VA's attempt to address the hepatitis C problem through regulation, but we believe statutory relief may be the only remedy that will truly help thousands of veterans. While regulations are a good start, the VA is not mandated to ensure that these veterans are treated and compensated. It can, at any time, change the regulations or refuse treatment if it runs low on discretionary funds. Only through statutory relief will we ensure that the VA has the dedicated resources and funding to handle all of these claims. Also, having a statutory requirement will put this major disease on par with other major presumptive diseases. Finally, at the April 13th Veterans' Benefit Subcommittee hearing, several veteran service organizations, including the American Legion and the VFW, complained that the VA has already denied too many service connection claims by veterans with hepatitis C. In their testimony, AMVET stated that, among its members, the number of veterans being diagnosed with hep-

atitis C by the VA has increased, but the number being treated by the VA has not risen at all.

While Chairman QUINN, Mr. GIBBONS and I offer this bill as a remedy, we also offer it as a working document. We are willing to work with members of the Veterans Affairs Committee and our colleagues in this body as well as the Veterans Administration and veteran service organizations to produce a consensus bill. I am hopeful that we will be able to work out any differences and pass this legislation for our veterans.

In the heat of combat, we ask our young servicemen and women to risk exposure to unknown danger to save others with the understanding that we, as a nation, will take care of them in the future should they become sick. Mr. Speaker, the time has come to fulfill that promise.

**RECOGNIZING ROBERT MONDAVI, RECIPIENT OF WINEVISION'S FIRST ANNUAL "VISIONARY AWARD"**

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of Robert Mondavi receiving WineVision's first annual Visionary Award—recognizing the person whose insight and foresight contributed in myriad ways to the U.S. wine community's overall betterment in the year 2000.

Robert Mondavi and employees of Robert Mondavi Corp. were instrumental in the past year in assuring the initiation of the WineVision process—an effort to develop an industry-wide strategic plan for the U.S. wine business. The winery, notably Michael Mondavi and Herbert Schmidt, was key in offering support, including becoming one of the first companies to contribute seed money.

All through the process, Robert Mondavi has provided inspiration, human resources and funding. As well, he has encouraged participation from other wineries and growers.

Robert Mondavi is known throughout the wine industry as the man whose vision of a successful American premium wine industry started America's wine renaissance in the 1960s. WineVision is proud to acknowledge his role in our community and recognize his contributions, those of his family and those of his winery.

Robert Mondavi began his success in the wine business in the 1940's when his father purchased the Charles Krug Winery. In the 1950's and 1960's, Robert became the first Napa Valley vintner to use cold fermentation extensively and popularized new styles of wine such as Chenin Blanc and Fume Blanc.

Robert Mondavi's winery is a culmination of a vision that he shared with his family. From its inception in 1966, the winery has stood as both an example of their innovation in winemaking and a monument to persistence in the pursuit of excellence.

In addition to serving as chairman of the board of the winery, Robert was and continues to be active in a number of activities promoting wine and food. In 1988, he launched the Robert Mondavi Mission program that was

designed to educate Americans about wine and its role in American culture and society. This program illustrates the benefits of moderate consumption as well as the detriments of abuse.

Robert is currently in the process of founding the American Center for Wine, Food, and the Arts, in Napa, CA. This center will serve as a culmination of his dream to celebrate the role of wine, food, and arts in American culture. In addition, he is the founding co-chairman of the American Institute of Wine and Food with Julia Child, and a member of the American Wine Society, the Brotherhood of the Knights of the Vine and many other groups.

In 1997, Robert was inducted into the Educational Foundation of the National Restaurant Association's College of Diplomats for his support of education in the food industry. He has been named "Man of the Year" by numerous magazines and foundations and has received such honors as the Lifetime Achievement Award and the Torch of Liberty Award.

Throughout the years, Robert Mondavi has developed world-class, fine wines. As one of the world's top producers, Mr. Speaker, it is appropriate at this time that we acknowledge Robert Mondavi's great accomplishments in the wine and food industry and his receiving WineVision's first annual Visionary Award. Congratulations to Robert Mondavi and the Mondavi family.

#### THE ZIMBABWE PARLIAMENTARY ELECTIONS

#### HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. GEPHARDT. Mr. Speaker, just this past December, I visited Zimbabwe with a bipartisan group of members of Congress that was co-led by Amo Houghton, a long-time friend of the Zimbabwean people, and included Donald Payne, the ranking member of the International Relations Subcommittee on Africa. The purpose of our visit was to examine Zimbabwe's efforts to combat the AIDS pandemic, revitalize economic development and strengthen its democracy. In doing so, we dedicated a U.S. Agency for International Development-funded AIDS clinic in Hwange and met with political leaders including President Robert Mugabe and Morgan Tsvangirai, the leader of the then-fledgling opposition party, the Movement for Democratic Change (M.D.C.). Little did we know at the time that Zimbabwe was on the cusp of its most fundamental political change since gaining independence in 1980.

I applaud the people of Zimbabwe for their efforts to make the June 25 and 26 parliamentary elections generally peaceful as opposition parties gained an unprecedented 58 seats, 57 of which went to the M.D.C. The relative calm of the election was particularly significant in the wake of the intimidation and violence that preceded the historic vote. The approximately 60 percent turnout of registered voters for the election was a level of participation that we in the United States can envy.

Now, with a meaningful opposition party firmly in place, the challenge for President Mugabe will be to work with the new Par-

liament to solve the social and economic problems that face his nation in a manner that seeks to unite rather than divide. I was pleased to see President Mugabe recognize this challenge in his speech following the election, in which he spoke of his desire to work with the new Parliament. It is my hope that President Mugabe's future actions will mirror this rhetoric.

Finally, I would like to recognize the work of American representatives in Zimbabwe—both governmental and nongovernmental—whose on-the-ground efforts contributed to this important milestone in Zimbabwe's political evolution: the American Embassy, lead by Ambassador Tom McDonald and Political Officer Makila James; the United States Agency for International Development; and the National Democratic Institute and its Zimbabwe-based staff of Peter Manikas, Richard Klein, David Kovick, Dawn Del Rio, Kate Allen and Scott France.

#### SUPPORT OF INCARCERATED IRANIAN JEWS

#### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Ms. LEE. Mr. Speaker, today I address the issue of the 13 Jews being held in the city of Shiraz in Iran and on trial on charges of espionage.

The World Bank is currently reviewing a proposal to transfer \$230 million in loans to Iran. In light of the circumstances, it is inappropriate to consider these loans while the staged trial of the 13 Iranian Jews continues. It would send a dangerous message that the international community disregards the Iranian government's serious human rights violations against its citizens.

This group, which includes a Rabbi, teachers, and students, has been detained for over a year although no formal charges have been filed against them. Contrary to Iranian law, they have been denied the right to choose their own legal representation.

Additionally, serious legitimacy concerns arise when we consider that the trial is being held behind the closed curtains of the Revolutionary Court where the judge is also the chief prosecutor.

The defendants' "confessions," on which the prosecution's case is built, were all offered without the presence of their lawyers. These minute-long sound-bites have been widely aired on State-run television.

Clearly justice is not being served for these Iranian Jews.

The question is what will the world do about it? The key is for the U.S., Germany, and Japan to stand up at the World Bank and say human rights do matter and to vote to delay any World Bank loan to the Republic of Iran. Until justice is served for these 13 Iranian Jews, the World Bank should not hide behind claims that somehow its loans are only being used for a particular purpose. Money is fungible.

Recent history has shown that at least 17 Jews in Iran have been executed for spying after similar "confessions" were offered. We must stand up for human rights. The World Bank is where this trial will be on trial.

#### ANNOUNCEMENT OF THE VICE PRESIDENT REGARDING PLUM POX VIRUS FUNDING IN PENNSYLVANIA BY THE U.S. DEPARTMENT OF AGRICULTURE

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. GOODLING. Mr. Speaker, I was pleased today when the administration announced that \$13.2 million would be made available to compensate fruit growers in my district affected by plum pox. I am very pleased that my constituents who have seen their livelihoods put under the bulldozer and set afire in the last 3 months will finally receive just compensation. However Mr. Speaker, I am enraged that this announcement came from the Office of the Vice President and that the administration would play election year politics with a stone fruit industry that its own press release values at \$1.8 billion.

Mr. Speaker I became aware of the plum pox outbreak in my district in early October. Since that time, I and Pennsylvania's Members of the other body have met with the growers affected by this crisis and worked on legislative remedies to address the growers' loss. I first wrote Secretary Glickman about plum pox in early November, a letter signed by 18 other Members of the House. In the intervening 8 months I have pursued every legislative option available and worked with Secretary Glickman and officials from the Commonwealth of Pennsylvania to indemnify the affected growers.

I ask the Vice President, where have you been for the nearly 6 months while the Office of Management and Budget acted as a roadblock to allowing these funds to be released. Secretary Glickman is to be commended for his actions in this crisis. As soon as the Secretary had the relevant information it was presented to the OMB along with his recommendation to declare this crisis an "Extraordinary Emergency," thereby making plum pox one of the Department's highest priorities.

Where was the Vice President on March 2, 2000, when the Secretary declared an Extraordinary Emergency and the OMB refused to release the funding for the Emergency. Where was the Vice President?

If the Vice President was as concerned about this crisis as he seems to be today, why didn't he request OMB Director Lew release these funds in March, before the growers had to be put through the worries they faced this spring.

Where was the Vice President when those growers, my constituents, came to Washington and met with an OMB official and were insulted and belittled as if they were beggars asking for a hand out. Mr. Speaker, I understand the Vice President is well versed on tobacco growing, but I wonder if he understands the workday of a fruit grower?

The fruit growers in my district do not sit on their porches and rock, as they were told in a insulting response by Director Lew's subordinate in April. Fruit growers work from sun up to sundown and spend their lives praying that the weather and insects do not make them bankrupt. I wonder where the Vice President was Mr. Speaker.

Mr. Speaker as I said, I am pleased that those growers in my district who accepted the

risk and obeyed the destruction orders they received from the USDA will be finally compensated, I might add one month after the Congress voted to do the same, but I find it very sad that this Administration chooses to release this compensation only after the Vice President finds himself sagging in the polls and needing help in a swing State.

### MEDICARE RX 2000 ACT

SPEECH OF

**HON. BOBBY L. RUSH**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. RUSH. Mr. Speaker, I rise in opposition to H.R. 4680 and to say that today we have seen a clear example of legislating at its worst.

The Republican leadership of this House has denied the Democrats the opportunity to offer a meaningful prescription drug plan which would guarantee our senior citizens access to this important benefit under Medicare.

The Republican leadership has issued a "gag order" rule, which prevents the Democratic members of this institution from offering a clear alternative to the legislation which they are calling Medicare Prescription Medicine. I say, the bill before us is not that: it is less than that.

Last year, I visited with a number of Senior Citizens centers in the First Congressional District in Illinois. Secretary Donna Shalala was gracious enough to join me in August in a visit to the senior citizens residence at Montgomery Place.

At every opportunity, the seniors in my district asked me—Is Congress going to do something about Medicare, and especially about prescription drugs?

It was abundantly clear from these questions that the senior citizens in Chicago's First District—many of whom are living on income below the poverty line—that this is an issue of critical importance, to be dealt with seriously by this institution. Seriously and deliberately: not through political gamesmanship.

Last year, we were told that the prescription drug issue would have to wait until the Republican-initiated tax cut was resolved. And we waited. And the senior citizens in our Congressional districts waited.

Last week, when President Clinton proposed an end to the waiting and offered a sound and financially responsible entitlement program to provide senior citizens with the prescription drug benefits that they need and want, the Republican leadership in the House said "No." They said we will consider a minimal proposal that does not even guarantee a prescription drug benefit to Medicare recipients.

Mr. Speaker, I will say again what I said last fall: that the Republican majority must give up this ill-conceived plan and give us the opportunity to consider a real legislative proposal which will give our senior citizens the prescription drug benefits that they need—and want.

### MEDICARE RX 2000 ACT

SPEECH OF

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. UDALL of Colorado. Mr. Speaker, I rise in opposition to H.R. 4680, The Medicare Rx 2000 Act. Today, instead of helping seniors with their prescription drug bills, the Republicans sold seniors a bill of goods. Their bill is a multi-billion dollar giveaway to insurance companies and fails to guarantee that seniors will be able to afford the medicines their doctors tell them they need to take to stay healthy.

For the past year, seniors in my district have been telling me about how much they spend on their monthly prescription bills. I released a study in April 1999 which shows that seniors in my district who have no prescription drug coverage pay twice as much as those who have coverage. Some seniors are faced with the decision of paying for food or paying for medicine. This is an outrage. No senior should be faced with that kind of decision.

On the other hand, the Republican leadership in the House recently became interested in this issue because their pollster told them that they needed to pass a drug plan—any plan—no matter how flawed it is. And they won't let the Democrats offer a substitute plan on the floor because they know it is a good plan and could pass.

We need a Medicare prescription drug benefit that is voluntary, that provides coverage to all seniors who need it, and that secures the financial future of Medicare. I will continue to work for a plan that helps seniors fill their cabinets with life-saving medications, not one that lines the pockets of the drug companies.

### JUSTICE FOR SHIRAZ THIRTEEN

**HON. KEN LUCAS**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. LUCAS of Kentucky. Mr. Speaker, in Iran today, thirteen Jews are awaiting judgement in a trial that I suspect is no trial at all. Although the thirteen Jews in question are accused of espionage, they have been imprisoned for over a year without being formally charged and have been denied the right to choose legal counsel. They have also been denied access to family members, fellow members of the Jewish community, and human rights workers. It is deplorable to put these thirteen people on trial, possibly with their lives at stake, then shut the courtroom doors to the world. Diplomats, members of the media, human rights activists, and even the accused's fellow Iranian citizens are barred from attending the court proceedings. In short, these thirteen persons are being denied even what limited due process of law is regularly available to the Iranian people.

In March of this year, Secretary of State Albright announced that the U.S. ban on certain Iranian imports would be lifted. This move was designed to encourage ongoing political reform in Iran. However, as Iran works to improve its relations with the international com-

munity, I urge my fellow members of Congress to keep a watchful eye on the developments in this case. Judge Sadiq Nourani, better known to his countrymen as "the butcher," will soon decide whether or not these thirteen Jews indeed committed acts of espionage against Iran. I am deeply troubled by the shroud of secrecy under which this trial proceeds, bringing into question the integrity of any guilty verdict. My colleagues in Congress should view Judge Nourani's decision, and any subsequent sentencing, as a strong indication as to the sincerity of Iran's attempts to reform.

Omid Tefillin, a 25 year-old man whose brother has already been condemned, said, "I am innocent, and I believe the court is just. God willing, I will be acquitted." Mr. Speaker, I wish I shared Mr. Tefillin's faith in the Iranian judicial system. Based on the proceedings I have observed thus far, I am doubtful the thirteen Jews can receive a just verdict.

### ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

SPEECH OF

**HON. GEORGE W. GEKAS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2000*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

Mr. GEKAS. Mr. Chairman, I would like to take a moment to discuss an amendment that has the potential to address a matter that is of the utmost importance to our nation. First I want to commend the Chairman for his hard and diligent work on this bill.

The cost of gasoline has skyrocketed and America is once again forced to kneel at the feet of OPEC, groveling to oil barons, begging for more oil. It is disgraceful that this administration has let America, the home of the free, become subservient to foreign powers. I cannot stress enough the importance of the United States becoming an energy self-sufficient nation and the positive effects this would have on our national security and economic prosperity.

As you know, the price of oil in the United States has dramatically increased over the last year. Over the winter we saw the first spike in oil prices, and this administration's response was simply to beg OPEC to produce more oil, in the hopes that higher supply would cause prices to go down. Yet, prices have skyrocketed in the last few weeks, with some Americans having to pay well over \$2.00 for a gallon of gas. The impact of escalating oil costs affects prices for essential utility and municipal services, the distribution of vital supplies and other goods and services, and could threaten many American jobs. Clearly, our current economic prosperity is put at risk as a result of the dramatic increase in oil prices. It is time to take action before we are completely at the mercy of this oil cartel.

Beyond any short term fixes we may soon address in the Congress, we must adopt a long-term energy policy that will emphasize

the U.S. position of being energy self-sufficient in the 21st century. With the vast amount of untapped resources in this country and technological advances which have made it easier, cheaper, and safer to develop and discover new domestic sources of energy, the goal of becoming energy self-sufficient can be a reality.

That is why I have introduced H.R. 4035, the National Resource Governance Act, which I am now offering as an amendment to the Energy and Water Development Appropriations Act. This amendment calls on Congress to officially commit to the concept that the United States can be energy self-sufficient by the end of the decade.

This commitment would take the form of a bipartisan blue ribbon commission to investigate all possible methods to make the country energy self-sufficient. We can start by utilizing the oil reserves that already exist in our great land. We should also explore and encourage alternative resource production such as solar, wind, hydrogen, natural gas, gas hydrates, or other resources, as well as better fuel efficiency for our nation's transportation infrastructure.

At the dawn of the 21st Century, the resources and ingenuity to make America self-sufficient for its fuel needs exist. We need to focus our attention on this very important issue, because the ramifications of becoming more dependent on these foreign powers threatens not only our economy, but our very existence as a world power. How many more times must we be put through an energy crisis and the outrageous costs associated with it before we commit ourselves to energy self-sufficiency? It's time to get the power back.

I urge the House to accept my amendment and give our nation an energy policy that will ensure our future.

HONORING DR. JEAN CLAUDE  
COMPAS

**HON. EDOLPHUS TOWNS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. TOWNS. Mr. Speaker, today I am proud to honor Dr. Jean Claude Compas a radiant example of what a premiere physician in this country should hope to be.

Dr. Compas was born in Port-au-Prince, Haiti. After completing his primary education, he traveled to France to attend the University of Lille, where he received his medical degree. After earning his degree, he migrated to the United States to set up his own practice in Brooklyn.

He is the founder of one of the largest Haitian owned and operated medical clinics in Brooklyn. In addition to his successful medical practice, Dr. Compas has dedicated his life to advancing social justice. He has led several marches protesting blatant discrimination and prejudice against Haitians in the United States, including the plight of Haitian refugees. Through his research and publications with the Center for Disease Control in Washington, DC, he helped reverse the unjustified wholesale labeling of Haitians as a high-risk group for AIDS by the CDC and the FDA. He also was a major activist on the Abner Louima case, organizing a legion of protests against police brutality.

Jean Claude Compas serves on several boards of nonprofit organizations, including the

New York Aids Foundation, the Haitian Coalition on AIDS, and the Haitian American Alliance of New York. He was also a past-vice president of Haitian Medical Association abroad.

Dr. Compas is a prime example of what every citizen should aspire to be. He has made a difference in many lives in Brooklyn. He remains a dedicated advocate for the Caribbean community. Dr. Compas' contributions to his community never stop, and hopefully he will continue good deeds to make Brooklyn a better community. Dr. Compas ultimately believes that "it's better to give than receive" and he demonstrated it through his many contributions. Please join me in recognizing the accomplishments of Dr. Jean Claude Compas.

# LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2001

SPEECH OF

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 22, 2000*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4516) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2001, and for other purposes.

Mr. MOORE. Mr. Chairman, I rise today in opposition to H.R. 4516, the FY2001 Legislative Branch Appropriations Act, which would slash funding to the Government Printing Office's Federal Depository Library Program (FDLP). Rather, I support the bipartisan manager's amendment that restores funding to this important public resource.

The goal of the FDLP is to assure current and permanent public access to information published by the federal government of the United States. The FDLP, under the auspices of the Government Printing Office (GPO), provides public documents free of charge to approximately 1,350 libraries in the United States and its territories. Depository libraries receive all government publications of public interest and/or educational value, with the exception of classified materials.

The FY2001 Legislative Branch Appropriations Act would cut the FDLP's budget by 61 percent, from \$29.9 million in FY2000 to \$11.6 million in FY2001. By contrast, the Senate's version of this bill would actually increase the library program's budget by 4 percent.

The manager's amendment, sponsored by Representatives TAYLOR and PASTOR, would restore \$95.8 million to this spending bill, including \$14.1 million to the FDLP. This amendment would bring the total FDLP appropriation to \$25.7 million, or \$4.2 million less than the FY2000 appropriation. While this funding cut is still unacceptable, the manager's amendment would, at the very least, allow the FDLP to continue operating into 2001.

Mr. Chairman, the University of Kansas Government Documents and Map Library is the only regional depository library in the entire state of Kansas. Though other depository libraries exist in my home state, they receive only a small percentage of the documents that the Government Documents and Map Library receives annually. At a regional depository library like the one at KU, individuals can read a wide range of government documents dating from 1789, such as the first Census report for

the United States, which the government completed in 1790.

Though the government documents are made available to the public at no cost, there is a cost to the libraries that maintain them. As a regional depository library, KU is required by federal law to maintain the information in perpetuity. The cost of storing a total collection of more than 2 million government documents can run into the tens of thousands of dollars annually, not counting salaries for a staff to catalog and maintain the information. Without federal funding, the Government Documents and Map Library would be forced to close its doors and end its years of service to the Kansas public.

Mr. Chairman, though anyone can access documents supplied under the auspices of the FDLP, the people who rely upon this information the most are small-business owners. Small business men and women in Johnson County and other areas in Kansas' Third District frequently utilize the Federal Register, which lists proposed regulations and information on upcoming government contracts. Small businesses have a right to access the Federal Register and other federal documents, and the federal government has the responsibility to make sure that America's small business people have access to them.

I urge my colleagues to vote for the vitally important manager's amendment, which will restore the public's access to taxpayer-funded government documents. The public has an inherent right to obtain information contained in government documents that have been published at public expense. Above all, Mr. Chairman, a well-informed citizenry, cognizant of the policies and activities of its representative government, is essential for the proper functioning of democracy.

IN HONOR OF COACH ANTHONY  
FEDERICO

**HON. DENNIS J. KUCINICH**

OF OHIO

**HON. STEPHANIE TUBBS JONES**

OF OHIO

**HON. STEVEN C. LATOURETTE**

OF OHIO

**HON. SHERROD BROWN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. KUCINICH. Mr. Speaker, today I honor Mr. Anthony Federico ("Coach") for his tireless dedication to youth and his outstanding service to his community.

Coach Federico received his B.S.S degree from John Carroll University, where he later received his masters in counseling and masters in administration. He also received his Ph.D. from the American College of Metaphysical Theology in 1997. Coach Federico most recently has served as the head football coach at Maple Heights High School. Throughout his career, Coach Federico has taken initiative and transformed the coaching profession. His unique approach to coaching inspires and enriches the lives of the young people he comes in contact with. His unyielding devotion to his students is a reflection of his admirable character. Coach Federico has been the assistant football coach and offensive coordinator at Case Western

Reserve University. He has also served as the athletic director and head coach at many other schools throughout his career, including Richmond Heights, Chanel High, and Willoughby South. He has been a member of the American Coaches Association for 35 years, and has also received two "Coach of the Year" awards.

In addition to his tremendous coaching abilities, Coach Federico is the president of Effective Goal-Setting Opportunities, Inc., which owns the pending trademark "The Zone Coach," which represents an educational seminar designed to assist in creating a game plan for successful and optimal performance based on a unique combination, nutrition and fitness. He also created the Goal-Getter, a powerful motivational tool built into a standard 12 month calendar. Coach Federico's efforts have been recognized and have resulted in the creation of a federal grant to help underprivileged youths successfully enter the workplace. In addition, he also teaches continuing education classes for the department of insurance and real estate. Coach Federico has taken his profession to new heights. His coaching philosophy reaches beyond the athletic field and reaches into the workplace and personal lives of those who understand the importance of total body wellness. He is not only a talented coach, but has become a role model for all to follow. His tremendous accomplishments as a coach and an educator are truly commendable.

Colleagues, please join me in honoring Mr. Anthony Federico for his generous contributions to youth, both on and off the playing field.

#### TIGERS CLINCH FIFTH NATIONAL TITLE

#### HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BAKER. Mr. Speaker, I am honored to have this opportunity to congratulate the LSU Tiger Baseball Team on winning the 2000 College World Series and clinching their fifth NCAA championship in ten years.

The final game of the College World Series promised to be very exciting and to the fans of this series, it lived up to this expectation. Stanford, the College World Series Team of the 80's, fought a hard battle against the LSU Tigers, the College World Series Team of the 90's, to determine who would claim the title in 2000. And with a lot of sweat, hard work and determination, that decision was made in the bottom of ninth inning when the LSU Tigers rallied from a 5-2 deficit to win the NCAA championship, beating the Stanford Cardinals 6-5.

It is with tremendous pride that I congratulate LSU Coach Skip Bertman and all the players of the LSU Baseball Team for a great game. I know that both the coach and the players gave the game their entire heart and demonstrated to baseball fans all around this country what a good baseball game is made of. I salute you and look forward to seeing LSU win more College World Series titles in the future.

#### HONORING EMMA TIBBS AS A RECIPIENT OF THE DAILY POINTS OF LIGHT AWARDS

#### HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 30, 2000*

Mr. FLETCHER. Mr. Speaker, today I recognize the accomplishments of Mrs. Emma Tibbs from Lexington, Kentucky. She is currently serving her second year term as President of the Fayette County Neighborhood Council, an umbrella organization of neighborhood associations in the county.

Mrs. Tibbs was awarded the Daily Points of Light Award for her initiative in taking this group and turning it into a positive community force. This award speaks very strongly about both her character and dedication.

We are all proud that the recipient of such a prestigious award has come from the 6th district of Kentucky. Mrs. Tibbs's acts of generosity and community action have set a standard of excellence in service to which people of all ages should aspire.

Congratulations to you Mrs. Tibbs and thank you for your commitment to community service.

#### 1999 FLEOA HEROISM AWARD

#### HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. RODRIGUEZ. Mr. Speaker, in July, in Pleasanton, Texas, the Federal Law Enforcement Officers Association, along with family, friends and members of the community, gather together to present nine individuals, three of whom died in the line of duty, with the 1999 FLEOA Heroism award. The ceremony will memorialize the ultimate sacrifice of those three local Atascosa County lawmen who were tragically killed last October as well as the brave acts of the other officers and civilians. These individuals will be honored for their outstanding courage and bravery in answering the call to duty.

The FLEOA Awards Program is intended to honor its fellow peers not only from across the nation but also from Canada, Mexico, Thailand, Bahamas and Columbia. The following individuals have been selected as recipients of the 1999 Heroism Award, the first three of which are to be awarded posthumously:

Police Officer Thomas Monse—Atascosa County Police  
Officer Mark Stephenson—Atascosa County State Trooper Terry Miller—Texas Department of Public Safety  
Police Officer Louis Tudyk—Pleasanton, Texas  
Supervisory Deputy David Sligh—San Antonio, Texas  
Carl Fisher—Court Security Officer—INS Retired—Pleasanton, Texas  
Wendell Munson—Atascosa County  
Archie Pena—Retired Police Officer—Atascosa County  
Oscar De La Cruz—Pleasanton, Texas

Many national and international nominations for the awards were received. Seven of the awards were given to those officers and civilians who were involved in the sad event that

took place on October 12, 1999, in Pleasanton. On that day, three brave officers of the law sacrificed their lives in the line of duty. Atascosa Sheriff's deputies Thomas Monse and Mark Stephenson, along with Texas state trooper Terry Miller, were all gunned down in an ambush by a lone gunman. Two others, City of Pleasanton Police Officer Louis Tudyk, and a retired U.S. Immigration and Naturalization Service agent, Carl Fisher, were also wounded during the ensuing gunfight.

Carl Fisher, along with Archie Pena, a retired local Police Officer, and Wendell Munson, a 56-year-old cattle rancher, earned their Heroism Awards by rising to the occasion and risking life and limb to come to the aid of the fallen police officers. None of them was obligated to do so, yet they decided to make it their duty. The tragic incident served as a grave reminder of the risks that law enforcement officers face every day in guarding the peace of our communities.

This tribute extends to include officers of all stripes for the hard work and sacrifices they make throughout the country. Far too often their presence is taken for granted and the risks that they take for our security are not fully comprehended. I hope that this award can serve as a symbol of our gratitude for all law enforcement officers who fulfill a much-needed task.

#### HONORING MR. ROBERT SNYDER

#### HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. GARY MILLER of California. Mr. Speaker, today I pay tribute to Mr. Robert Snyder on the occasion of his promotion from the United Parcel Service (UPS) Public Affairs office in Washington, DC to the company's Corporate E-Ventures division in Atlanta, Georgia.

Mr. Snyder began his career with UPS 20 years ago as a project engineer in the southeast region of the United States. In 1997, he was promoted to the public affairs office in Washington, DC where he was responsible for working with Members of Congress on legislative priorities that would affect the freight industry. At the same time, he oversaw UPS's worldwide environmental program and the development of more than 20 facilities across the country. In this capacity, he helped engineer the industry's first recyclable envelope, a product providing economic benefit to UPS and an environmental benefit to the world community.

Part of UPS's global network of trade includes the use of Ontario International Airport in Ontario, California, part of the district I represent. With Mr. Snyder's leadership, the company has expanded its use of the facility, transforming it to the company's western gateway to the world.

Mr. Snyder has been a good friend to many in Washington, DC, including my office. Today, I acknowledge his commitment and achievements and sincerely wish him and his family prosperity and success in the future.

# INTRODUCTION OF THE LOW-INCOME WIDOWS ASSISTANCE ACT OF 2000

## HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today with my colleague Representative ERNIE FLETCHER in introducing the Low-Income Widows Assistance Act of 2000.

You may be as amazed as I was to discover that if a senior has a dramatic drop in income, whether do to the loss of a spouse or other reason, no one in government alerts the senior that they may be eligible for assistance with their Medicare premiums and co-pays.

This means the 82-year-old senior who just lost a spouse and is now responsible, many times for the first time, for taking on the tasks of paying the bills on a drastically lower income may not know they can get much needed help with medical expenses.

It just makes sense to me that Federal Government should seek to aid such seniors when they need the help the most. Especially when the Social Security Administration presently has the ability to identify those who may qualify for assistance.

Since 1988, Congress has provided financial assistance to qualified low-income seniors in covering costs under the Medicare program. Despite the growing number of elderly taking advantage of the assistance, reports have shown some are being left out because they are not aware of the programs.

The Social Security Administration reports that 40 percent of non-married women (a category that includes women) rely on Social Security benefits for 90 percent of their income in comparison to only 18 percent of married couples. Amazingly, one-fourth of non-married women relies on Social Security retirement benefits as their sole source of income.

This legislation seeks to make these seniors aware of the additional benefits they may be entitled to because of their income by directing the Social Security Administration to mail a notification to Social Security recipients it identifies as possibly being eligible. This notification will instruct the beneficiary on whom they can contact to determine whether they qualify for assistance.

It further directs the Social Security Administration to provide the states with a list annually of names it has identified to aid the states in enrolling these deserving seniors.

I hope my colleagues will join with me in making the government more consumer friendly to our seniors who need our help by cosponsoring this legislation. It will be a great comfort to our seniors, many of who are widows, to know they can receive assistance with important and often expensive medical costs.

IN MEMORY OF DWIGHT T. REED

## HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Dwight Reed, of Jefferson City, MO. He was 85.

He was born on March 13, 1915, in St. Paul, MN, and was the son of Dwight and Ora Woods Reed. Coach Reed grew up in St. Paul and was a football, basketball, and track star at George Washington High School. He attended college at the University of Minnesota, where he received his bachelors and masters degrees and was an All-American member of three national championship football teams. In addition, he was an intramural light-heavy-weight boxing champion.

After 3 years of coaching three sports at the high school level, Coach Reed played semi-pro basketball for the Galloping Gophers. Following his basketball career, Reed served a four-year tour of duty in the Army during World War II. He was involved in combat in Italy.

In 1949, Coach Reed moved to Jefferson City and began his coaching career at Lincoln University. Reed was LU's football coach for 23 years and posted a career record of 135-75-6. Reed also served as the athletic director, eight years as women's track coach and three years as men's basketball coach. Among his accomplishments as a football coach were two undefeated seasons in 1952 and 1953 and four league championships. In addition, he produced two NFL All-Pro stars which include current Lincoln assistant Lemar Parrish, and Canadian Football Hall of Famer Leo Lewis. As a tribute to Coach Reed's career, the Lincoln University football stadium and track were named in his honor in 1985. Coach Reed's hard work and dedication throughout his career has impacted the lives of many.

Mr. Speaker, Dwight Reed will be greatly missed by all who knew him. I know the members of the House will join me in extending my heartfelt condolences to his family: his wife of 58 years, Hiawatha; one son, Kenneth L. Reed; one stepson, Marvin Reed, five grandchildren and five great-grandchildren.

HONORING COLVIN W. GRANNUM

## HON. EDOLPHUS TOWNS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. TOWNS. Mr. Speaker, I am proud to honor and celebrate the achievements of Colvin W. Grannum, the founding director and the chief executive officer of Bridge Street Development Corporation. Bridge Street Development Corporation is a faith based non-profit organization, affiliated with Bridge Street African Wesleyan Methodist Episcopal Church in Brooklyn, NY.

Mr. Grannum's motto is "Building on Community Strength." His vision is to restore Bedford Stuyvesant to the ranks of the most desirable communities for parenting and doing business. Under Mr. Grannum's leadership, BSDC has grown to over a \$2 million operation with 300 units of housing in the development pipeline in only its first four years of experience. BSDC also has obtained preliminary approval for \$2 million in start up financing for two locally-owned businesses. Finally, to help begin to close the digital divide, Mr. Grannum has used BSDC to establish a community computer lab and Internet access facility.

In addition to being a community leader, Mr. Grannum has also practiced law for 17 years as a litigation attorney. He started his legal ca-

reer as a law clerk to a judge of the Superior Court of the District of Columbia. He also has held a variety of positions with the United States Department of Justice, the New York State Attorney General, the NYNEX Corporation, and the New York City Corporation Counsel. During his legal practice, Mr. Grannum was responsible for handling and supervising complex litigation, including trials, appeals, and regulatory proceedings. As a law student, he taught a legal writing and research course at Georgetown University Law Center.

Mr. Speaker, please join me in thanking Colvin W. Grannum for his selfless service to the community of Brooklyn. Also, please join me in wishing him the best in his future endeavors on "Building on community strength."

# DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

SPEECH OF

## HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2000

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4690) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2001, and for other purposes:

Mr. MOORE. Mr. Chairman, I rise today in opposition to H.R. 4690, the FY 2001 Commerce-Justice-State-Judiciary appropriations bill. This bill is more than \$2 billion below current funding levels, achieving these reductions by making unacceptable cuts in several key areas.

Among these cuts is the \$201 million reduction in the President's gun enforcement initiative request. This initiative would provide funding to hire federal, state, and local prosecutors for gun crimes. As a former district attorney, I know that the unfortunate reality is that our judicial system is seriously lacking the resources it needs to see that each gun crime receives strong legal inquiry. There are existing laws that can be enforced in order to lessen the prevalence of gun violence in our communities. Without the proper tools, adequate manpower, and financial resources, however, these laws will be less likely to serve their intended purpose.

Mr. Chairman, this bill also cuts other critical law enforcement programs, such as the administration's Community Oriented Policing Service (COPS) program. H.R. 4690 provides only \$595 million, 55 percent less than the \$740 million requested for the COPS program. These deep cuts come at the expense of several important initiatives within the overall COPS program. This bill does not provide funding for a COPS community prosecutors program for which \$200 million was requested. It does not fund a new crime prevention program for which \$135 million was requested. Finally this bill underfunds, by 37 percent, the request for public safety and community policing grants.

This FY 2001 Commerce-Justice-State appropriations bill also fails to fund the \$21 billion authorization to ensure proper monitoring



and compliance with international trade agreements. These monies were authorized as part of a bipartisan agreement that this House passed along with PNTR with China just a few weeks ago. While approval of PNTR was in our national interest, this bipartisan proposal was offered to address congressional concerns about Chinese compliance with their WTO obligations, human rights practices in China, and Taiwan's entry into the WTO. I am disappointed that the leadership reneged on its commitment to provide funding for this important monitoring and compliance agreement.

Mr. Chairman, because of these and other funding shortfalls, and because the bill contains objectionable riders, such as preventing the use of funds to move forward on implementing the Kyoto Protocol, I will be voting "no" on H.R. 4690 and urge my colleagues to do so as well.

**DOCTOR MAKES POSITIVE IMPACT  
IN CARVILLE, LA, COMMUNITY**

**HON. RICHARD H. BAKER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BAKER. Mr. Speaker, I am honored to have the opportunity to congratulate Dr. Robert Jacobsen upon his retirement as Director of the National Hansen's Disease Programs and the Gillis W. Long Hansen's Disease Center in Carville, Louisiana. During his distinguished 33-year career at the center, Dr. Jacobsen played an important role in helping to define the evolving leprosy chemotherapeutic regimens that are the key features of the world elimination program for this disease.

Dr. Robert Jacobsen, a native of Austin, Minnesota, received his B.A. in Chemistry and Math from the University of Minnesota in 1954, his Ph.D. in Organic and Physical Chemistry from the University of Wisconsin in 1958 and his M.D. from the University of Minnesota in 1962. Jacobsen started his career with the Public Health Service as Chief of Medicine at the U.S. Public Health Service Hospital, Carville, LA, which later became the Gillis W. Long Hansen's Disease Center; a position that he held until 1992. In addition, Dr. Jacobsen also served as Chief of Clinical Branch from 1978 to 1992.

His numerous awards and recognitions include the Public Health Service's Commendation Medal, Meritorious Service Medal, and Distinguished Service Medal, as well as the Secretary's Award for Distinguished Service. Dr. Jacobsen has also served on numerous international advisory boards including the Tuberculosis Task Force of the Centers for Disease Control and Prevention, the World Health Organization's Working Group on Leprosy Control, the International Leprosy Association, and the World Health Organization's Special Action Projects for the Elimination of Leprosy.

In addition to Dr. Jacobsen's lifelong commitment to leprosy research, treatment and eradication, I would also like to recognize and thank him for his help in making the transition from the Gillis W. Long Hansen's Disease Center to the Carville Academy a smooth one. He can take great pride in knowing that his efforts at the center have not only helped his patients, but will also help thousands of youth for years to come. Again, it is an honor to

have this opportunity and I wish Dr. Jacobsen all the best.

**IN HONOR OF THE SHAOLIN  
PERFORMING GROUP**

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. KUCINICH. Mr. Speaker, I rise to pay tribute to the Shaolin Performing Group, a group of young children ages 6–18 from China who will be visiting Cleveland to participate in the Wushu Kungfu Extravaganza Weekend on July 8 and 9, 2000. This weekend event is a special cultural, sporting and educational exchange between the East and the West. The Shaolin Performing Group, along with their coach Grandmaster Zhu, will be visiting the United States for the first time.

This impressive group of young athletes train for years under the Shaolin monks in China and demonstrate incredible feats of martial art skills. These children, who attend the Zhengzhou Martial Arts Major Institute, represent China in promoting cultural and educational exchange. Their teacher, Grandmaster Tianxi Zhu, is the director of this institute, and is a Chinese Wushu Degree 7. He earned the international outstanding Wushu achievement gold medal and was the first place winner of Shaolin Kungfu in the 7th World Cup Wushu Championships. The children under his tutelage demonstrate amazing speed, discipline, and skill.

My fellow colleagues, please join me in paying tribute to this exceptional group of athletes, the Shaolin Performing Group, and welcoming them to the United States for their performing tour.

**HONORING AUDREY LEE JACOBS**

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. TOWNS. Mr. Speaker, it gives me great pleasure to rise today to honor Audrey Lee Jacobs. She is president and chief executive officer of Lyndon Baines Johnson Health Complex. After years of working throughout the United States for several of the world's largest corporation, Ms. Jacobs is pleased to be returning to serve the Brooklyn community in which she was born. She is a great product of the New York City Public school system, graduating from Andrew Jackson High School as one of the top students in her class. Audrey attended Vassar College on a full scholarship and majored in psychology.

Ms. Jacobs developed a keen interest in business as she watched her entrepreneurial parents establish and run their own small businesses. She began her career in marketing, working for several multi-national corporations, including Mobil Oil Corporation and AT&T. She wanted to broaden her base of skills and knowledge in business, so in 1985, she entered the University of Texas at Austin. In 1988, she was awarded her Masters in Business Administration degree and realized how important education was and went on to law

school. She attended Columbia Law School, majoring in corporate law. Afterwards, she joined Mayor N. Dinkins' administration as an assistant to the President of the NYC Health and Hospitals Corporation. That provided an introduction to the field of health care administration for Ms. Jacobs, and she realized from that experience. "... how many people in New York were not receiving medical care and how important it was to provide all New Yorkers, regardless of ethnicity, race, or social class, or access to high quality health care." After the Dinkins administration she returned to the practice of law. Throughout the years, Ms. Jacobs has been active in the alumni associations of her college and law school, and she has helped to raise funds for many community and political organizations.

Recently, William F. Green, the Chairman of LBJ's Board of Directors talked with Ms. Jacobs about the changing health care landscape and LBJ's developing role in it. After the meeting Ms. Jacobs reflected on taking the reins of this proud clinic which, for 32 years, has been integral to the health and well being of Bedford-Stuyvesant. She quickly realized that it was the opportunity of a lifetime. And, we are grateful for her ability to seize this opportunity.

Mr. Speaker I ask you and my colleagues to join me in honoring the contributions of Audrey Lee Jacobs. Our community, state, and nation are grateful for her dedicated service.

**RIO GRANDE CITY, TX, STUDENTS  
WIN THE WORLD CHAMPIONSHIP  
TITLE IN THE ODYSSEY OF THE  
MIND CONTEST**

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. RODRIGUEZ. Mr. Speaker, today I recognize the Odyssey of the Mind world-champion team members, coaches, and parents of Ringgold Elementary School in Rio Grande City, TX. At the Odyssey of the Mind world championship competition for pre-teens, this select group of 5th graders captured the world title. This banner accomplishment reflects the competitors' academic commitment, keen imagination, creativity, and countless hours of preparation.

Odyssey of the Mind, a worldwide creative problem-solving, engages students in exercises that challenge their critical thinking skills. More than 1 million participants in 50 states and 20 countries around the world compete in various age and subject categories. The world-champion Odyssey of the Mind team members, Jessica Chapa, Ashley Escobar, Justin Guzman, Karah Hiles, Leonel Lopez III, Armando R. Vela, and Valerie Villarreal, demonstrated world-class dedication to earn this international recognition.

I join the people of Rio Grande City, TX, and the United States, to commend the trophy winners for capturing the world championship title of the Odyssey of the Mind competition.



HONORING JACQUELINE Y. SMITH  
AND DEBORAH L. DYOR AS  
SMALL BUSINESS PEOPLE OF  
THE YEAR

**HON. ERNIE FLETCHER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. FLETCHER. Mr. Speaker, it's an honor to speak today on behalf of two women from Lexington, KY, who have been named Small Business People of the Year. Jacqueline Y. Smith and Deborah L. Dyor, have within a decade successfully turned their drug-research company, Central Kentucky Research Associates into a million-dollar company.

These two women began their company in 1991 with a mere \$50 and by 1999 had netted sales of \$1.6 million. It's an honor for me to recognize the determination and commitment these two Central Kentuckians have exhibited over the past 10 years. Their company conducts the tests required before the U.S. Food and Drug Administration approves new drugs or approves new uses for drugs already on the market.

The sacrifices of these two women have been enormous, as they resigned positions and ventured out to begin Central Kentucky Research Associates. Their efforts are most worthy of the Small Business People of the Year Award.

Small businesses are the backbone of a community and epitomize the entrepreneurial spirit that has long existed in our country. The hard work of small businesses owners, such as these two women, have allowed many generations of Americans to achieve the successes and rewards our nation offers to all its citizens. I salute Jacqueline Smith and Deborah Dyor for their dedication and drive, which has and will continue to benefit not only the people of Kentucky, but all of America.

PERSONAL EXPLANATION

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. ROTHMAN. Mr. Speaker, On June 19, 2000, and on June 23, 2000, because I was attending personal family events, I was not present to record my votes on rollcall votes No. 293 and No. 319. These votes pertained to striking language in the Fiscal Year 2001 VA-HUD and Commerce-Justice-State Judiciary Appropriations bills which prohibited agencies of the Federal Government from using funds to pursue lawsuits against tobacco companies.

Because I strongly believe that the tobacco companies must be held responsible for the millions of dollars in health care expenses that the Federal Government has paid for tobacco related illnesses through federally funded health care programs, had I been present for these votes, I would have voted as follows:

On rollcall vote No. 293, 1 would have voted "aye."

On rollcall vote No. 319, 1 would have voted "aye."

INTRODUCTION OF LEGISLATION  
TO RENAME THE POST OFFICE  
IN CARROLLTON, GEORGIA  
AFTER THE HONORABLE SAM  
ROBERTS

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BARR of Georgia. Mr. Speaker, I rise today to introduce legislation to rename the post office located in Carrollton, Georgia, after the Honorable Sam Roberts.

Sam Roberts was born on April 10, 1937, in Rome, Georgia. After obtaining a degree in insurance and risk management from Georgia State University in 1963, Sam Roberts delved into a career of management, heading Roberts Insurance Agency. After many years in this profession, Sam decided to run for the Georgia State Senate. He won his Senate seat to represent District 30 in 1996, and was re-elected in 1998. His second term was tragically cut short after his untimely death after a long bout with cancer, on January 3, 2000, in Douglasville, Georgia.

Throughout his life, State Senator Sam Roberts was involved in countless community organizations and civic clubs, including: President of the Sertoma Club and the Douglas County Rotary Club; National Director of the U.S. Jaycees (Government Affairs); and State Vice President of the Georgia Jaycees.

He also served on the Board of Directors of the American Cancer Society and the March of Dimes. He was the Chaplain of the Flint Hill Masonic Lodge. Sam Roberts was a member of the Douglas County Development Authority and the Douglas Chamber of Commerce. He was also a youth football coach for 20 years.

Sam Roberts received numerous community and civic awards, such as Who's Who in Georgia, and Small Business Person of the Year from the Douglas County Chamber of Commerce. He was also Associate of the Year of the Douglas County Home Builders Association. Sam was admitted to the Carrollton Trojan Hall of Fame, and was a Jaycees International Senator.

While serving in the Georgia State Senate, Sam Roberts worked extremely hard for swift and strong punishment of criminals, to improve education for children, and to make our state government more efficient. Before he passed away, he had introduced Senate Bill 69, which was pushed through by lawmakers as a tribute to Sam Roberts. The bill dispels the need to carry an insurance card to prove coverage and allows for computerized records of coverage and renewals.

Sam Roberts was a resident of Douglas County for more than 30 years. He was a member of Heritage Baptist Church, with his wife, Sue. Sam is also survived by three children—Sherrie, Beau, and Amber.

Mr. Speaker, the career of Senator Sam Roberts—as a professional, as a legislator, as a community leader, and as a family man—clearly demonstrates why we should name this Post Office in his community, in his honor. I ask you and my colleagues to join me in renaming the U.S. Post Office in Carrollton, Georgia, after the Honorable Sam Roberts.

BREAST CANCER RESEARCH  
STAMP REAUTHORIZATION ACT  
OF 2000

**HON. RICK LAZIO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. LAZIO. Mr. Speaker, I rise to introduce the bill entitled the Breast Cancer Research Stamps Reauthorization Act of 2000.

Breast cancer is the most commonly diagnosed cancer among women in the United States. More than 2 million American women are currently living with the disease, 1 million of whom have yet to be diagnosed. This year alone, 182,800 women will be diagnosed with breast cancer. Over 40,000 of them will lose their battle with this killer.

Breast cancer has taken an awful toll on the people of my home state. New York has the second-highest breast cancer mortality rate in the country. Between 1980 and 1994, the incidence of breast cancer in New York increased nearly 18 percent. Enactment of this bill will go a long way toward helping our effort to increase funding for breast cancer research. Only through the help of continued cancer research have more and more people become cancer survivors in recent years.

Since the issuance of the Breast Cancer Research stamp in the summer of 1998, 164 million Breast Cancer Research stamps have been sold raising over \$12 million for breast cancer research. The stamp provides a convenient avenue for participation in the battle against this horrible disease. Unfortunately, without congressional intervention, the stamp will expire on July 28, 2000. Valuable research funds, as well as a mechanism to heighten public awareness of this horrible disease, will be lost.

This bill, The Breast Cancer Research Stamp Reauthorization Act of 2000 would extend the sale of the Breast Cancer Research stamp for an additional two years. The stamp would continue to cost 40 cents and sell as a first class stamp. The additional funds that are raised will go directly to breast cancer research at the National Institutes of Health and the Department of Defense.

I am pleased to report that this reauthorization bill has tremendous support throughout the health community. Supporters of the Breast Cancer Stamp Reauthorization Act of 2000 include the American Cancer Society, the American Medical Association, the Y-Me National Breast Cancer Organization, Leadership America, the National Association of Women's Health, the American Cancer League, the American College of Surgeons, Friends of Cancer Research, and many others.

A Breast Cancer Research Stamp remains just as necessary today as it was when this authority was signed into law two years ago. According to the American Association for Cancer Research, 8 million people are alive today as a result of cancer research. To say that every dollar we continue to raise will save lives, can only underscore the importance of this legislation.

I urge my colleagues to join me in enacting this important legislation.

HONORING DR. ORAN LITTLE'S 12  
YEARS OF SERVICE AS THE UNI-  
VERSITY OF KENTUCKY'S DEAN  
OF AGRICULTURE

**HON. ERNIE FLETCHER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. FLETCHER. Mr. Speaker, it's an honor to speak today on behalf of Dr. Oran Little who is stepping down from his position at The University of Kentucky as the Dean of Agriculture. For twelve years Oran Little, has been not only the Dean of Agriculture at the University of Kentucky but also the Director of the Kentucky Agricultural Experiment Station, the Director of the Kentucky Cooperative Extension Service and a Professor of Animal Science. For Dean Little's commitment to education and his many years of service, I salute him.

Oran Little is a leader in the Lexington community and his dedication to the youth of the University of Kentucky will never be forgotten by the many people he has touched over the years. I commend Dean Little and thank him for his outstanding service to Fayette County. During his tenure, the University of Kentucky's academic, research, and extension programs have provided invaluable services to the Commonwealth of Kentucky and have gained substantially in national and international recognition.

Dean Little's determination to constantly improve the University of Kentucky's facilities has led to many new competitive research and technology capabilities which will eventually result in new opportunities for crop diversification, as well as new science based information on agricultural techniques. I thank you Oran Little for helping to mold and develop the University of Kentucky's Agriculture Department into what it is today.

SILVER ANNIVERSARY OF THE  
ARMED SERVICES AND VET-  
ERANS AFFAIRS MILITARY  
AWARDS DINNER

**HON. ELIJAH E. CUMMINGS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. CUMMINGS. Mr. Speaker, whereas the leaders of America's Revolutionary War ascribed honor, gallantry and patriotism to the performance of military duty reserved for free white men to garner independence, freedom, liberty and equality from the British Crown;

Whereas Crispus Attucks, a black slave, was the first to die while confronting British soldiers in the Boston Massacre; 5,000 of those who fought during the Revolutionary War were black;

Whereas the military heritage of African Americans is as long as the history of a black presence in North America; black participation—in military actions—has not received extensive popular support nor has such participation been undertaken without difficulty;

Whereas in 1917, when America entered World War I, Dr. Joel Spingarn, then-chairman of the Executive Committee of the National Association for the Advancement of Colored

People (NAACP), and Dr. W.E.B. Dubois, editor of the Crisis magazine pressured the War Department to establish a training camp that resulted in the commissioning of more than 1,300 black officers;

Whereas today, the NAACP notes significant improvement in the status of African Americans serving in the defense of the Nation; substantial portions of America's working population are directly or indirectly employed by the Department of Defense as uniformed military personnel, Federal employees, or Department of Defense contractors/sub-contractors and African Americans compose significant percentages of this work force; these statistics represent employment, training, and educational opportunities for African American youth;

Whereas July 12, 2000, the Silver Anniversary of the Armed Services and Veterans Affairs Military Awards Dinner marks the untiring efforts of the NAACP to ensure equal opportunity in the Department of Defense through a national recognition program to award individuals within the Department of Defense who have made significant contributions to promoting equal opportunity and civil rights;

Whereas the NAACP does not hesitate to confront the Defense Department whenever issues involving civil rights are in question; the national awards program testifies to the efforts of the Department of Defense and the Uniformed Services to stay the course and improve upon the Department of Defense and the Uniformed Services to become introspective and as equal opportunity-related issues emerge, to remain vigilant and keenly aware of the civil rights implications.

*Be it Resolved finally* That this NAACP national recognition program continue to culminate in an awards banquet and ceremony with pageantry commensurate with the high honor and dignity bestowed upon the award recipients.

HONORING BRIAN R. MARTINOTTI

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. ROTHMAN. Mr. Speaker, I rise today to offer my congratulations to a remarkable citizen, Brian R. Martinotti of Cliffside Park, New Jersey, who on May 16, 1999 was honored with the "Christopher Columbus Citizenship Award" by the Italian-American Police Society of New Jersey.

I have known Brian for many years and I have always found him to be an outstanding attorney, family man, and a trusted friend. After earning his undergraduate degree in Business Administration from Fordham University, Brian received his Juris Doctor from Seton Hall University School of Law. He is a member of the New Jersey State Bar, and has also been admitted to the United States Supreme Court Bar and the New Jersey Federal District Court Bar.

In addition to being a partner in the law firm of Beattie Padovano, where he specializes in civic litigation, Brian is a tax attorney for the Boroughs of Fairview and Little Ferry and also serves as a public defender in the Borough of Moonachie. Further, Brian has dedicated many hours to civic activities in Bergen Coun-

ty. He is a Councilman in the Borough of Cliffside Park, and is also Vice-President of the Bergen County 200, Trustee to the Greater Pascack Valley Chamber of Commerce, and Legal Counsel for the Italian-American Police Society of New Jersey.

Brian has given much to the State of New Jersey and to his community, and he well deserves the honor of the "Christopher Columbus Citizenship Award" that has been bestowed upon him by the Italian-American Police Society of New Jersey. My congratulations and appreciation go out to Brian and his wonderful family, and I take great pleasure in recognizing him today.

INTRODUCTION OF LEGISLATION  
TO RENAME THE FEDERAL  
COURTHOUSE IN ROME, GA,  
AFTER THE HONORABLE LAW-  
RENCE PATTON McDONALD

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BARR of Georgia. Mr. Speaker, today I rise to introduce legislation to rename the federal courthouse located in Rome, GA, in the 7th District, after the Honorable Lawrence Patton McDonald. Several members in this Chamber today had the privilege of serving with Congressman McDonald and I have the distinct honor to represent his congressional district.

Lawrence Patton McDonald was born on April 1, 1935, in DeKalb County, GA. After receiving a doctorate in Medicine from Emory University in 1957, Lawrence, or "Larry," McDonald courageously served his country for four years, primarily as an overseas flight surgeon. In 1966, he settled in Cobb County where he practiced medicine. During his medical career he was a member of the State Medical Education Board, the National Historic Society, and the Cobb County Chamber of Commerce.

On January 1, 1975, Larry McDonald began his first term in Congress. Congressman McDonald dedicated his political life to the defense of the United States Constitution.

During his congressional career, Congressman McDonald was presented with the Defender of Individual Rights award by the National Rifle Association. He was also a member of the American Pistol and Revolver Association, Advisory Board of the National Committee for the Right to Keep and Bear Arms, Gun Owners of America, National Advisory Council of the Second Amendment Foundation, and Citizens Committee for the Right to Keep and Bear Arms.

Congressman McDonald was a strong supporter of the right to life. He was an active member of the Georgia Right to Life Committee, Board of Advisors for American Life Lobby, Congressional Advisory Council of Christian Voice, Advisory Council of Birthright of Atlanta, and the National Pro-Life Political Action Committee.

Throughout Congressman McDonald's eight years as a Member of Congress, he received many awards and acknowledgments. In 1977, he was presented with the Bernardo O'Higgins Award by the government of Chile. In 1978, he was given a certificate of appreciation for

the National Human Rights Committee for POWs and MIAs. In 1980, the Naval Reserve Association named him "Man of the Year," and presented him with the Distinguished Service Award. In 1981, the Congressional Medal of Honor Society presented him with its distinguished service award for his leadership on national defense issues. He was also honored by the American Security Council for his work in the same area. Congressman McDonald also consistently received the Watchdog of the Treasury Award from the National Federation of Independent Business (NFIB).

Congressman McDonald had a strong interest in foreign affairs. He was one of six lawmakers selected to attend a three-day conference commemorating the 30th anniversary of the United States Mutual Defense Treaty with South Korea. However, he was the only Member of Congress aboard Korea Airlines Flight 007 when it apparently strayed into Soviet airspace and was shot down without provocation, by a Soviet fighter, on August 31, 1983.

Larry McDonald was survived by his wife, Kathy, and his five children, Larry, Lauren, Tryggvi Paul, Callie Grace, and Mary Elizabeth. He is remembered for his distinguished career in Congress and the many lives he touched not only in the Seventh Congressional District of Georgia, but across America and around the world.

Mr. Speaker, Congressman Larry McDonald's career clearly demonstrates why we should name this court house in his honor. I ask you and my colleagues to join me in renaming the federal court house building in Rome, GA, after the Honorable Lawrence Patton McDonald, deceased Member of Congress.

#### ON THE CONTRIBUTION OF SLAVES TO THE CONSTRUCTION OF THE CAPITOL

**HON. J.C. WATTS, JR.**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. WATTS of Oklahoma. Mr. Speaker, today I am introducing legislation that I believe to be critically important in highlighting a disturbing but important fact about the history of this magnificent building and symbol of freedom, the U.S. Capitol.

Every day that we are here in session, our debates and legislative activities underscore that this is a living building that embodies America's greatest principles of democracy and liberty. However, one significant historical fact about this building is often forgotten, and that fact is that much of the construction of this Capitol in the 18th and 19th centuries was done by slave labor.

As we all know, slavery was not eliminated across the United States until the ratification of the 13th amendment in 1865. Before that date, slave labor was both legal and common throughout the South including the District of Columbia, Maryland, and Virginia.

Public records attest to the fact that African-American slave labor was used in the construction of the U.S. Capitol. We should remember as well that many slaves at that time were veterans who had fought bravely for independence during the American Revolutionary War.

It is time that we recognize the contributions of these slave laborers, and I am proud today to join with Congressman JOHN LEWIS of Georgia in introducing a resolution to establish a special Congressional Task Force which will recommend an appropriate memorial to the labors of these great Americans to be displayed prominently here in the Capitol.

This year we celebrate the 200th anniversary of the first session of Congress to be held here in this historic building. I think that's a long enough time to go without a public and visible acknowledgement of the incongruous but important historical fact of the significant contribution of slaves to the construction of the world's greatest symbol of freedom.

#### H.R. 4461, AGRICULTURE APPROPRIATIONS FOR FY 2001

SPEECH OF

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to oppose the rule to H.R. 4461, Appropriations for the Department of Agriculture for FY 2001. Unfortunately, I must oppose the rule because the legislation severely undercuts major initiatives for the farming community.

The bill reported by committee cuts the funds requested by the President for curbing monopolistic pricing practices in the food industry. These practices are becoming a matter of considerable concern in the agricultural sector and are viewed by many farmers as a major factor in the continued depression of farm commodity prices.

Like my colleagues, I am concerned that we must restore economic health to American farms. To do that, we must curb the rapid expansion of monopolistic practices that plague many sectors of the food industry. A disproportionate amount of companies control cattle purchases, beef processes, and wholesale marketing. And in merely 5 years, we have seen the margin between the price paid by farmers and the wholesale price of beef jump by 24 percent. Don't we owe more to the American farmer?

The administration requested \$7.1 million for the U.S. Department of Agriculture's Grain, Inspection, Packers, and Stockyards Administration (GIPSA) to investigate market concentration in agriculture and bring legal actions to stop anti-competitive behavior and other abusive practices. Unfortunately, the Republican leadership on the House Appropriations provided less than 20 percent of the requested funds. Such action casts considerable doubt on the administration's initiative to curb antitrust violations by some companies. We can do better, Mr. Speaker.

Some of my colleagues have already emphasized that the U.S. Department of Justice cannot bring antitrust action against these corporations giants because federal law reserves that responsibility for the Department of Agriculture. At the same time, no one has ever given the Agriculture Department adequate resources to meet its antitrust responsibilities.

In addition, the bill rejects the administration's request for FDA's tobacco program. Unfortunately, some still oppose the FDA's valid

jurisdiction to include the regulation of tobacco. This is regrettable and ill-advised at this time. At times, there are those who seek to entangle controversial issues that should not be contained in an appropriations measure. This is one of those times.

Mr. Speaker, I urge my colleagues to oppose the legislation.

#### VETERANS' HEALTH CARE

SPEECH OF

**HON. ROBIN HAYES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 20, 2000*

Mr. HAYES. Mr. Chairman, I rise today to urge my colleagues to oppose this amendment. This amendment jeopardizes the appropriations authority granted to Congress by the Constitution and will set a precedent that the administration and the President will determine spending instead of the U.S. Congress. I ask my colleagues to consider the precedent that this amendment will set with respect to our authority in Congress to determine spending levels for our country. This amendment is not about tobacco companies, it's about protecting funds for veterans' health care and whether or not you believe in the rule of law. Don't take \$20 million from veterans' health care or any other agency to pay for a lawsuit that history and legal precedent say you will not win. That would be a tremendous disservice to our veterans and our taxpayers. In today's Washington Times, Professor Michael Krauss argued the very same thing. "In 1997, Miss Reno herself testified before the Senate that the Federal Government had no legal basis to recover health care expenditures from tobacco companies." The Master Settlement Agreement between the states and the companies was supposed to remedy this situation. Mr. Krauss continues, the "White House had failed to enact its desired 55-cent-per-pack federal cigarette, Miss Reno shamelessly filed the very same lawsuit she had explicitly admitted was groundless."

As Mr. Krauss continues to argue, "the tobacco manufacturers never duped the Federal Government. Washington has known for decades that smoking is dangerous. Since 1964, every pack of cigarettes sold in the United States has carried a federally mandated warning of the health risks of smoking. So Washington has no direct fraud suit against Big Tobacco." In 1997 the Department of Veterans Affairs rejected former soldiers' allegations that they were sickened by cigarettes which were given to them by the government at no cost until 1974; a full ten years after Washington required health warnings. Krauss asserts that the Federal Government cannot assume the rights of individual smokers to sue for damages.

In 1947, the United States Supreme Court, in *U.S. v. Standard Oil*, concluded that the Federal Government may not, unless it has expressed statutory to do so, sue third parties to recover health care costs. Following the ruling, Congress passed the Medical Care Recovery Act (MCRA), which allows the Government to recover the medical treatment costs given to individual military and federal employees injured by a third party's negligence. MARA, however, does not allow the recovery

of general Medicare costs. Since its passage, not once has Washington made claims for costs incurred by Medicare.

The Secondary Payer provisions added to MARA in 1980 and 1984 give the Federal Government authority to recover Medicare costs previously promised to be paid by insurance companies. However, as noted by Krauss, the Secondary Payer provision has never been interpreted to allow the Federal Government to sue alleged wrongdoers, only insurers are allowed. To make recoveries under the Secondary Payer provisions, the Government must be able to prove the sales of tobacco, alone, are responsible for wrongdoing. Considering that Washington has played an active part in regulating, subsidizing, promoting and profiting from tobacco products while completely aware of its health risks, such proof of autonomous wrongdoing is difficult to find. Krauss concludes his article, describing the federal tobacco lawsuit as a "thinly veiled quest for billions in federal revenue," unobtainable through the U.S.'s constitutional taxing process.

For my friends on the other side who bemoan any kind of reduction in government spending, it's almost amazing they are working to cut funding for veteran health care and for military families, just to advance the political agenda of the administration. I strongly urge my colleagues to vote against this amendment.

COMMEMORATING THE HEROISM  
OF STANLEY T. ADAMS, RECIPIENT  
OF THE CONGRESSIONAL  
MEDAL OF HONOR

**HON. GREG WALDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. WALDEN of Oregon. Mr. Speaker, it is not necessary for me to explain the significance of the Congressional Medal of Honor. Its storied history, and the legend of the heroes who have won it, is well known to most Americans. With this decoration, the nation pays tribute to the bravest among its warriors, the men whose courage serves as a timeless inspiration to their comrades and a reminder of the fierceness of the American people to our enemies.

Among its winners is Stanley T. Adams, a veteran of the Korean war. Serving as a member of Company A, 19th Infantry Regiment, then-Sergeant First Class Adams distinguished himself above and beyond the call of duty in action against an overwhelming hostile force. On February 4, 1951, Adams and his company came under intense attack by an estimated 250 enemy troops. Against this daunting force, Adams led a valiant bayonet charge, supported by only a handful of his own men. Despite sustaining painful wounds, he charged the enemy position and engaged in vicious hand-to-hand combat for more than an hour without rest. Due to the determination of Adams and the men under his charge, the surviving enemy retreated in confusion, removing the threat to the larger American force in the area.

Perhaps no greater testament to his gallant service exists than the freedom Adams and his fellow soldiers bequeathed to the people of

South Korea. They remain a free people today because men of courage and principle would not yield to the forces of tyranny.

I will share the pride of his family, his community, and his nation on this Fourth of July, when Stan Adams' widow presents his Medal of Honor to the Oregon Veterans Home in The Dalles, Oregon. There it will remain for posterity, a permanent tribute to the bravery and dedication of one of America's greatest heroes.

THE FAMILY HEALTH TAX CUT  
ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. PAUL. Mr. Speaker, today I attempted to help working Americans provide for their children's health care needs by introducing the Family Health Tax Cut Act. The Family Health Tax Cut Act provides parents with a tax credit of up to \$500 for health care expenses of dependent children. Parents caring for a child with a disability, terminal disease, cancer, or any other health condition requiring specialized care would receive a tax credit of up to \$3,000 to help cover their child's health care expenses. The tax credit would be available to all citizens regardless of whether or not they itemize their deductions.

The tax credits provided in this bill will be especially helpful to those Americans whose employers cannot afford to provide their employees health insurance. These workers must struggle to meet the medical bills of themselves and their families. This burden is especially heavy on parents whose children have a medical condition, such as cancer or a physical disability, which requires long-term or specialized health care.

As an OB-GYN who has had the privilege of delivering more than four thousand babies, I know how important it is that parents have the resources to provide adequate health care for their children. The inability of many working Americans to provide health care for their children is rooted in one of the great inequities of the tax code: Congress' failure to allow individuals the same ability to deduct health care costs that it grants to businesses. As a direct result of Congress' refusal to provide individuals with health care related tax credits, parents whose employers do not provide health insurance have to struggle to provide health care for their children. Many of these parents work in low-income jobs; oftentimes their only recourse to health care is the local emergency room.

Sometimes parents are forced to delay seeking care for their children until minor health concerns that could have been easily treated become serious problems requiring expensive treatment! If these parents had access to the type of tax credits provided in the Family Health Tax Cut Act they would be better able to provide care for their children and our nation's already overcrowded emergency room facilities would be relieved of the burden of having to provide routine care for people who otherwise cannot afford any other alternative.

According to research on the effects of this bill done by my staff and legislative counsel,

the benefit of these tax credits would begin to be felt by joint filers with incomes slightly above 18,000 dollars a year or single income filers with incomes slightly above 15,000 dollars per year. Clearly this bill will be of the most benefit to low-income Americans balancing the demands of taxation with the needs of their children.

Under the Family Health Tax Cut Act, a struggle single mother with an asthmatic child would at last be able to provide for her child's needs; while a working-class family will not have to worry about how they will pay the bills if one of their children requires lengthy hospitalization or some other form of specialized care.

Mr. Speaker, this Congress has a moral responsibility to provide low-income parents struggling to care for a sick child tax relief in order to help them better meet their child's medical expenses. I would ask any of my colleagues who would say that we cannot enact the Family Tax Cut Act because it would cause the government to lose too much revenue, who is more deserving of this money, Congress or the working-class parents of a sick child?

The Family Health Tax Cut Act takes a major step toward helping working Americans meet their health care needs by providing them with generous health care related tax cuts and tax credits. I urge my colleagues to support the pro-family, pro-health care tax cuts contained in the Family Health Tax Cut Act.

INTRODUCTION OF A BILL TO  
AMEND THE NATIONAL OCEANIC  
AND ATMOSPHERIC ADMINISTRA-  
TION AUTHORIZATION ACT OF  
1992

**HON. BENJAMIN L. CARDIN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. CARDIN. Mr. Speaker, the legislation which I am introducing, which is a companion bill to the one introduced by Senator SARBANES, would provide NOAA with additional resources and authority necessary to ensure its continued full participation in the Bay's restoration and in meeting with goals and objectives of the recently signed Chesapeake 2000. First, this measure would move administration and oversight of the NOAA Bay Office from the National Marine Fisheries Service (NMFS) to the Office of the Undersecretary to help facilitate the pooling of all of NOAA's talents and take better advantage of NOAA's multiple capabilities. In addition to NMFS there are four other line offices within NOAA with programs and responsibilities critical to the Bay restoration effort—the Office of Oceanic and Atmospheric Research, National Ocean Service, National Weather Service, and National Environmental Satellite, Data and Information Service. Getting these different line offices to pool their resources and coordinate their activities is a serious challenge when they do not have a direct stake or clear line of responsibility to the Chesapeake Bay Program. Placing the NOAA Bay office within the Under Secretary's Office will help assure the coordination of activities across all line organizations of NOAA.

Second, the legislation authorizes and directs NOAA to undertake a special five-year

study, in cooperation with the scientific community of the Chesapeake Bay and appropriate other federal agencies, to develop the knowledge base required for understanding multi-species interactions and developing multi-species management plans. To date, fisheries management in Chesapeake Bay and other waters, has been largely based upon single-species plans that often ignore the critical relationships between water and habitat quality, ecosystem health and the food webs that support the Bay's living resources. There is a growing consensus between scientific leaders and managers alike that we must move beyond the single species approach toward a wider, multi-species and ecosystem perspective. Chesapeake 2000 calls for developing multi-species management plans for targeted species by the year 2005 and implementing the plans by 2007. In order to achieve these goals, NOAA must take a leadership role and support a sustained research and monitoring program. The Chesapeake Bay NOAA multi-species plans can, in fact, provide important information to other fisheries programs throughout the United States.

Third, the legislation authorizes NOAA to carry out a small-scale fishery and habitat restoration grant and technical assistance program to help citizens organizations and local governments in the Chesapeake Bay watershed undertake habitat, fish and shellfish restoration projects. Experience has shown that, with the proper tools and training, citizens' groups and local communities can play a tremendous role in fisheries and habitat protection and restoration efforts. The new Bay Agreement has identified a critical need to not only expand and promote community-based programs but to restore historic levels of oyster production, restore living resource habitat and submerged aquatic vegetation. The NOAA small-grants program, which this bill would authorize, would complement EPA's Chesapeake Bay small watershed program, and make "seed" grants available on a competitive, cost-sharing basis to local governments and non-profit organizations to implement hands-on projects such as improvement of fish passageways, creating artificial or natural reefs, restoring wetlands and sea-grass beds, and producing oysters for restoration projects.

Fourth, the legislation would establish an internet-based Coastal Predictions Center for the Chesapeake Bay. Resource managers and scientists alike agree that we must make better use of the various modeling and monitoring systems and new technologies to improve prediction capabilities and response to physical and chemical events within the Bay and tributary rivers. There are substantial amounts of data collected and compiled by Federal, state and local government agencies and academic institutions including information on weather, tides, currents, circulation, climate, land use, coastal environmental quality, aquatic living resources and habitat conditions. Unfortunately, little of this data is coordinated and organized in a manner that is useful to the wide range of potential users. The Coastal Predictions Center would serve as a knowledge bank for assembling monitoring and modeling data from relevant government agencies and academic institutions, interpreting that data, and organizing it into products that are useful to resource managers, scientists and the public.

Finally, the legislation would increase the authorization for the NOAA Bay Program from

the current level of \$2.5 million to \$6 million per year to enhance current activities and to carry out these new initiatives. For more than a decade, funding for NOAA's Bay Program has remained static at an annual average of \$1.9 million. If we are to achieve the ultimate, long-term goal of the Bay Program—protecting, restoring and maintaining the health of the living resources of the Bay—additional financial resources must be provided.

The Chesapeake Bay Program, with the important participation of the NOAA Bay Office, has exhibited leadership utilizing the marine sciences to provide guidance for decision makers in the restoration and protection of this unique natural resource. This bill will not only continue that leadership but will significantly advance the knowledge generated from the additional functions called for in the reauthorization. This bill is supported by a number of Bay organizations and members of the scientific community.

HONORING THE LATE BOB  
MURDOCH OF TYLER, TX

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. HALL of Texas. Mr. Speaker, it is my privilege today to recognize an exceptional individual, Bob Murdoch, of Tyler, TX, who passed away on May 27 of this year at the age of 81. Bob was well-known throughout Smith County and will be remembered for his leadership and tireless dedication to his community.

In 1951 Bob became general manager of the annual East Texas State Fair and held the position of manager from 1953 to 1995. As a tribute to his phenomenal forty-four years of leadership with the Fair, the office building at the fairgrounds was named the Murdoch Building upon his retirement. At his retirement luncheon, it was said of him that he was a "natural-born leader, dreamer and legend of our time"—a testament to his vision, dedication and commitment to community service.

Bob was a long-time member of the Texas Association of Fairs and Exposition. He served as secretary/treasurer of the Texas Association from 1954 to 1983 and received the Secretary of the Year Award from the national Federation of State and Provincial Association of Fairs.

Bob also was a leader in other community organizations. He served as chief executive director of the East Texas Agriculture Council and as executive secretary/treasurer of the East Texas Farm and Ranch Club, which he organized in 1952. He was the farm editor and broadcaster for radio station KTBB in Tyler from 1951 to 1960 and was a columnist and feature writer for the Tyler Morning Telegraph.

A Dallas native, he was born on December 18, 1918. He received a journalism degree from Hardin Simmons University in 1941 and fulfilled his military duties by serving four years in the Signal Corps and Army Air Corps during World War II. After being discharged, he managed Chambers of Commerce in Bowie and Gainsville.

He is survived by his wife, Jo Ann Murdoch of Tyler; two daughters, Janet Tomlin of Tyler and Dianne Cavazos and her husband, Hec-

tor, of Humble; one brother, Russell Murdoch of Dallas; one granddaughter, Melissa, and her husband, Scott Eeds, of Whitehouse; two grandsons, Lance and Evan Cavazos of Humble; and one greatgranddaughter, Emily Eeds, of Whitehouse.

Mr. Speaker, Bob Murdoch's contributions to his community will long be remembered—and he will be missed by his family and many friends in Tyler and Smith County. As we adjourn today, may we do so in celebration of this outstanding citizen from the Fourth District of Texas.

MIDWEST CLEAN AIR GASOLINE  
RESERVE ACT JUNE 29, 2000

HON. JUDY BIGGERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mrs. BIGGERT. Mr. Speaker, I represent a suburban Chicago district and, as we all know, the Chicago area now faces the highest gas prices in the nation. This is not a distinction of which we are proud or happy.

Today, Governor Ryan of Illinois and the Illinois General Assembly took an important step to provide the residents of Illinois with some relief, and they should be commended for their swift action. In one day, the General Assembly passed and the Governor signed a law that suspends the Illinois gas tax for six months. They were forced to take the extraordinary action of sacrificing badly needed road improvement funds in order to give consumers at the pumps an extra ten or twenty cents per gallon relief.

We cannot allow residents of states like Illinois and Wisconsin to confront this situation again in the future. The burden is just too great on individuals and small businesses in the region.

That's why I rise today to announce the introduction of a bill to help prevent future crises involving the price and supply of gasoline in the Midwest.

The Midwest Clean Air Gasoline Reserve Act would give the Secretary of Energy the authority to establish a Midwest reserve of reformulated gasoline or the petroleum products used to make reformulated gasoline. The President would release this stock of reformulated gasoline in the event of a severe energy supply disruption, a severe price increase, or another emergency affecting the Midwest.

We know now that two factors adversely affected the supply of gasoline in the Midwest, causing prices to rise. In addition to pipeline disruptions, Phase 2 of the Reformulated Gasoline—or RFG—program required the inventory of Phase 1 RFG gasoline to be purged from the supply chain. In this case, supply was interrupted at the same time that inventories were depleted. And in the Midwest in particular, sources of reformulated gasoline are few and far between, and difficult to replace when supply is interrupted. As a result, the price of reformulated gasoline spiked.

With a Midwest, Clean Air Gasoline Reserve in his arsenal, the President may have been able to combat this crisis when it presented itself, at least reducing the initial impact on consumers.

This bill will give any President an important tool with which to respond to energy supply

disruptions. I would urge my colleagues to support it.

**H.R. 4680—MEDICARE COVERAGE  
AND PRESCRIPTION DRUGS**

SPEECH OF

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. UDALL of New Mexico. Mr. Speaker, I speak today about the Democratic alternative for providing prescription coverage to all Americans on Medicare. Before I discuss the proposal I would like to tell you that we have seen great success with the Administration's long-term strategy of fiscal discipline. It is working well. Our economy is strong and we should use this moment of prosperity to lengthen the life and modernize Medicare with a prescription drug benefit plan.

Lack of prescription drug coverage among senior citizens and people with disabilities today is similar to the lack of hospital coverage among senior citizens when Medicare was created. Three out of five lack dependable coverage. Only half of beneficiaries have year-round coverage, and one third have no drug coverage at all.

It's projected that this year more than half of Medicare beneficiaries will use prescription drugs costing \$500 or more, and 38 percent will spend more than \$1000. Each year, about 85 percent of Medicare beneficiaries fill at least one prescription. Yet one third of beneficiaries have no coverage for drugs at all. And in 1996, more than half did not have drug coverage for the entire year. In the district that I represent, there are 64,822 seniors aged 65 or older who face the challenge of paying exorbitant prices for prescription drugs.

For the 10 million Medicare beneficiaries living in rural areas, nearly half have no drug coverage. They have less access to employer based retiree health insurance because of the job structure in rural areas.

There is no reason that we in Congress cannot take the necessary steps to ensure that every older American has access to the lifesaving, life enhancing prescription drugs they need.

My Democratic colleagues and I are united in a single strategy to provide these prescription drugs. I don't know how we can deny the fact that with the funds we have, with the obligations we have, with the fact that anybody who lives to be 65 in America today has a life expectancy of 82 or 83 years that their need for life enhancing and life preserving prescription drugs will only increase. Now is the best time to address this issue. We must do it now. The timing is right.

The Republican leaders put forth a plan with a stated goal of providing affordable prescription drugs for seniors, but the policy falls far short of the promise. Their plan fails to guarantee that all seniors who want it will have access to meaningful, affordable, and reliable prescription drug coverage. Their plan also suggests a private insurance benefit that insurers, themselves, say they will not offer and no one will buy if they did offer it because it would be too expensive. Limiting direct financial assistance for prescription drugs to seniors below the \$12,500 income will leave out over half the seniors.

In contrast to the Republican proposal, we as Democrats have a sound plan for all of America's seniors. It ensures that all seniors get voluntary, affordable and reliable prescription coverage through Medicare.

Specifically under our plan, Medicare would cover half of a beneficiary's drug costs up to \$2,000 a year, beginning in 2002. That would increase to half of \$5,000 by 2009. Over that time, monthly premiums would rise from an estimated \$24 to about \$50. There would be no deductible, and no senior would pay out-of-pocket expenses of more than \$4,000 a year.

The issue of providing affordable prescription drugs for every older American is essential. Adding prescription drug coverage to Medicare is not only the right thing to do, it is the smart thing to do. It's about giving people a chance to fight for a happy and productive long life.

**HONORING THE LATE PAUL  
KEAHEY, JR.**

**HON. RALPH M. HALL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. HALL of Texas. Mr. Speaker, it is an honor for me today to pay tribute to the late Paul Keahey, Jr., a native of Bonham, TX, and a long-time resident of Marshall, TX. Paul passed away in April of this year, having lived his life in dedication to his family, his career and to his community.

I feel a kinship to Paul—and all in the Keahey family. I was born in a home built by a Keahey, and I have served as a State Senator and as a U.S. Congressman and have been privileged to get to work with Paul's mom, Florence Keahey, longtime resident of Fannin County. Paul has been an advisor and supporter—and close friend during my years of public service. I will miss him greatly.

Paul was a self-employed geologist who spent 30 years working in the oil and gas fields of East Texas. He was a member of the American Association of Petroleum Geologists, a former chairman of the Business and Economics Department at Jarvis Christian College, a member of the Marshall Historical Society, and a member of the Lighthouse United Pentecostal Church in Marshall. He was a veteran of the United States Army and a lifetime member of the National Rifle Association.

He was born April 8, 1937, in Bonham, TX, the son of Paul R. Keahey, Sr., and Florence Fogle Keahey. He is survived by his wife, Tanya of Marshall; son, Paul "Pauray" Keahey III, of Marshall; sister, Dottie Davis of Garland; uncle, Tim Bruce of Bonham; his mother; and a number of nieces and nephews.

Mr. Speaker, let us take a moment to remember and celebrate the life of Paul Keahey, a good man and good citizen who devoted his life to the area where he was born and raised and chose to live. His memory will live on in the hearts of his family and friends in East Texas.

**CALLING FOR THE RELEASE OF  
AMERICAN CITIZEN EDMOND  
POPE OF GRANTS PASS**

**HON. GREG WALDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to call attention to a shameful violation of international government of Russia. For three months, an American citizen named Edmond Pope of Grants Pass, Oregon, has been unjustly incarcerated in Russia for the crime of espionage. He has been denied communication with his wife of 30 years and with his parents, who are in ill health. He has been denied legal representation, access to sufficient food and medical treatment and virtually every other right we commonly associate with the justice systems of civilized nations. Indeed, Ed's imprisonment is reminiscent of what used to pass for justice under Soviet communism, when men and women were dragged from their beds in the dark of night, never to be seen again.

Mr. Speaker, Ed Pope is no spy, and he should be returned to his family immediately. We must send a strong message to the government of Russia that now is not the time to return to a system of justice in which human rights are disregarded so indiscriminately.

I urge my colleagues on both sides of the aisle to join our colleague JOHN PETERSON and me in urging the Russian government to send Mr. Pope home.

**MEDICARE RX 2000 ACT**

SPEECH OF

**HON. BILL LUTHER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. LUTHER. Mr. Speaker, the time is long overdue to develop a truly meaningful voluntary prescription drug benefit for our nation's seniors. But as we ensure affordable prescription drug coverage that is accessible to each and every senior in America, let us also use this opportunity to remedy the serious disparities in the current Medicare+Choice program.

Just this week, one of the remaining HMOs offering a Medicare+Choice plan in my district announced that it would no longer offer its plan. The reason it gave for its withdrawal: Minnesota's appallingly low payment rates to Medicare HMOs. Citizens in Minnesota as well as other parts of the country are today subsidizing a system that unfairly penalizes them for living in areas of the country that have historically provided low-cost and efficient healthcare services.

Many counties in our country receive such low Medicare HMO payments that seniors either have no HMO option, or receive an unacceptably inadequate benefits package. Even the seniors who have the option to enroll in a Medicare+Choice plan pay high premiums for a relatively meager benefit. At the same time seniors in other parts of the country are receiving generous benefits including prescription drugs without having to pay an extra penny towards a premium.

This issue is about fairness and the efficient delivery of health care as care costs consume

an ever increasing share of our country's resources. The development of a prescription drug benefit offers us the opportunity to address and correct the current unjust disparity in the Medicare program. No more federal dollars should go to the HMOs that are already offering a plan with a rich benefits package until we achieve fairness. Instead, let's develop a genuine prescription drug benefit that ensures that all seniors have fair and equitable access to healthcare services and prescription medication. Let's develop a Medicare system that rewards efficiency, not waste. We owe this to the citizens of our country, as well as future generations of Americans.

My office and the rest of the Minnesota Congressional Delegation have filed a Congressional amicus brief on behalf of Minnesota Attorney General Mike Hatch and the Minnesota Senior Federation's lawsuit seeking to change the current unfairness in our Medicare system. I insert the brief for the record, and I ask for my colleagues' support on this important issue.

UNITED STATES DISTRICT COURT, DISTRICT OF MINNESOTA

COURT FILE NO. 99-CV-1831 DDA/FLN

State of Minnesota, by its Attorney General, Mike Hatch; Minnesota Senior Federation—Metropolitan Region and Mary Sarno, Plaintiffs

vs.

The United States of America and Donna E. Shalala, Secretary of Health and Human Services, Defendants

#### STATEMENT OF INTEREST

This memorandum is respectfully submitted by the Members of the Congressional delegation of the State of Minnesota as amici curiae to support each of plaintiffs' constitutional claims. This case involves basic public health issues for senior citizens in Minnesota regarding the cost of and beneficiary access to health benefits.

The amici curiae have an interest in protecting and promoting the health, safety and welfare of their constituents, in ensuring that their constituents are not discriminatorily denied their rightful status within the federal system, and in securing the underlying incentives of the federal Medicare program for their constituents.

With this brief, the amici curiae wish to bring to the Court's attention the policy dimensions of this lawsuit. As legislators in the United States House of Representatives and Senate, the amici curiae have a unique perspective on the substance and political dynamics of the federal Medicare program. It is the hope of the amici curiae that this memorandum assists the Court in adjudicating this matter in favor of their constituents, the citizens of Minnesota. Amici urge the Court to rule in favor of Minnesota senior citizens who, by virtue of nothing else but their geographic residence, continue to suffer from the unequal and disparate treatment of the federal Medicare managed care funding scheme.

#### INTRODUCTION

This memorandum asserts that the current reimbursement formula for Part C of the federal Medicare Program ("Medicare+Choice") is not rationally related to the program's objective of uniformity, arbitrarily limits beneficiary options through low reimbursements for Medicare+Choice and thus violates equal protection under the law. More specifically, this memorandum asserts the following: (1) the reimbursement system of Medicare+Choice is patently irrational and does not remotely effectuate a key objective

of the program; moreover, it does not promote efficiency in the health care system; (2) this irrational reimbursement system has disparate and adverse effects on the citizens of Minnesota and, consequently, has adversely and disproportionately affected their access to and enrollment in Medicare+Choice; and (3) legislative and political solutions to this irrational and unfair reimbursement system have been unsuccessful and leave no recourse but legal action before this Court.

(1) Irrationality. One of the key goals of Medicare+Choice, the roots of which stem from Congressional action in 1972 and 1982, is to furnish participating risk plans with uniform incentives to provide non-covered benefits to their beneficiaries. This goal is evident from (a) examining the initial, uniform structure and spirit of Medicare's Parts A and B, established in 1965, that are still in place today; Congress has done nothing since then to indicate a change in that spirit of uniformity; and (b) the utilization of the adjusted community rate ("ACR") mechanism and the "required benefit value" that gives incentives to provide non-covered benefits. In other words, uniformity plus incentives equals uniform incentives. Under Medicare+Choice, the reimbursement system provides Minnesota with low capitation payments. As a result of static ACRs, the required benefit values for plans in Minnesota are extremely small or nil. Thus, participating plans in Minnesota have no incentive to offer non-covered benefits to their enrollees. As such, Medicare+Choice's reimbursement system is irrational, does not remotely effectuate one of the program's key goals, and cannot justify the unequal, disparate treatment of Minnesota citizens.

(2) Adverse Impact. This irrational system adversely impacts Minnesota citizens by saddling them with high co-payments and extra premiums that carry no extra benefits. Minnesota's burden is not one shared by states like Florida or New York, whose citizens enjoy a panoply of extra benefits at no extra cost. This inequitable treatment adversely affects access to and enrollment in Medicare+Choice plans in Minnesota.

(3) Failed Legislative Efforts. Political reform and legislative remedies have been unsuccessful. Until 1997 and the Balanced Budget Act ("BBA"), Congress was unable even to address the issue in a meaningful fashion. At its inception, the average adjusted per capita cost ("AAPCC") schedule was based on arbitrary tabulations. The BBA's modest reforms were wholly inadequate. Budget neutrality rules kept (and continue to keep) capitation payments low, and the BBA failed to substantively reform the ACR mechanism. Consequently, legal action is Minnesota's only recourse.

#### I. IRRATIONALITY OF THE MEDICARE+CHOICE REIMBURSEMENT SYSTEM

One of the key purposes of Medicare+Choice is to provide incentives for participating risk plans to offer non-covered benefits (e.g., prescription drug benefits) to beneficiaries at the lowest possible cost to beneficiaries. However, the reimbursement system under Medicare+Choice does not offer such incentives to participating plans in Minnesota. The result is that most participating plans in Minnesota either do not offer any non-covered benefits to beneficiaries, or they offer such non-covered and covered benefits with high premiums and co-payments. Such is not the case in other states. This disparate, unequal, and unfair result is the consequence of an irrational reimbursement system that does not provide the purported incentives of Medicare+Choice in Minnesota, which are provided in other states. More-

over, it is this disconnect that gives the federal government no rational basis for its disparate and unequal treatment of Minnesota senior citizens under Medicare+Choice.

#### A. PURPOSE

Medicare was established in 1965 as a national insurance program for elderly and disabled people. It is, in fact, the nation's largest health insurance program. Medicare Parts A and B provided covered benefits (e.g., general hospital services) to beneficiaries on a fee-for-service basis. Under Part B, participating beneficiaries partly fund the program with uniform, monthly premiums assessed against participating beneficiaries. This original structure of Medicare under Parts A and B is instructive. At its inception in 1965, Medicare was created to provide uniform health care services at uniform and equal costs to all qualified beneficiaries over the age of 65. There is no reason to suspect that the intent behind Medicare's uniformity of benefits and inherent equality has changed.

In 1972, Congress amended the Social Security Act to incorporate managed care principles into the Medicare system. In so doing, the national legislature allowed health maintenance organizations ("HMOs") to be paid a flat, monthly capitation payment for Parts A and B services on either a cost or risk basis. Such capitation payments were based on an actuarial calculation of the average adjusted per capita cost ("AAPCC") per Medicare beneficiary. Congress set capitation payment rates at 95% of the estimated per capita costs of fee-for-service Medicare beneficiaries. This choice of 95% was purely arbitrary. (See Section 111, *infra*.)

In 1982, Congress again amended the Social Security Act to broaden the scope of participating organizations in Medicare. Specifically, while the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") retained the AAPCC formula and continued to provide participating plans with a monthly capitation payment on a county-by-county basis, TEFRA also incorporated the adjusted community rate mechanism into its reimbursement system. By so doing, Congress intended, *inter alia*, to provide participating risk plans with incentives to provide non-covered beneficiaries.

In 1997, Congress enacted the Balanced Budget Act of 1997, which modified the payment methodology for the first time and created Medicare Part C or Medicare+Choice. The BBA altered the reimbursement system for participating risk plans in a failed attempt to equalize vastly diverging capitation payments. However, the BBA did little if anything to substantively change or affect the ACR mechanism that determines the scope of non-covered benefits.

In sum, Medicare was established in 1965 to provide uniform medical benefits to all qualified senior citizens regardless of geographic residence. This is evident from the original structure of Parts A and B of the program that is still in place today. Furthermore, the subsequent incorporation of managed care principles into the federal program and the creation of Medicare+Choice did nothing to alter Medicare's spirit of uniformity. Thus, by examining Medicare+Choice within the context of uniformity for covered benefits under Parts A and B, one of the key purposes behind Medicare+Choice and its ACR mechanism becomes clear: Medicare+Choice, through the ACR mechanism, endeavors to give all participating plans relatively uniform incentives to provide their beneficiaries with extra, non-covered benefits at the lowest possible cost.

#### B. IRRATIONALITY OF THE SYSTEM

Given the above purpose of Medicare+Choice, the reimbursement system for



participating plans provides no rational basis for the federal government's unequal and disparate treatment of Minnesota citizens. That is, the reimbursement system fails to effectuate the purpose behind Medicare+Choice—to furnish participating plans with uniform incentives to provide non-covered benefits. More specifically, Minnesota's chronically low, county-based capitation payments, when compared to Minnesota's various county-based ACRs, give absolutely no incentive to participating plans to provide non-covered benefits to qualified Minnesota senior citizens.

Moreover, the underlying and flawed AAPCC formula, upon which current payment rates currently rely, originates from arbitrary tabulations. This arbitrary quality further underpins the irrationality of the reimbursement system. (See Section III, *infra*.)

The reimbursement system under Part C of Medicare has two components. The first component is an actuarial methodology used to calculate risk plan payment rates each year. This component actually determines the monthly capitation payment to each plan on a county-by-county basis. The second component is the ACR mechanism. This component determines the scope and/or amount of non-covered Medicare benefits and services a beneficiary receives.

Before the Balanced Budget Act of 1997, the capitation payment rate was known as the adjusted average per capita cost ("AAPCC"). The AAPCC was a relatively simple and crude formula whereby Medicare would pay a risk plan 95% of what a beneficiary would have received under a traditional fee-for-service arrangement. This actuarial project was calculated on a county-by-county basis.

Thus, the underlying methodological paradigm of the AAPCC was actuarially based on historical fee-for-service expenditures. This methodology accounted for (and continues to account for) the wild variations in payment rates for participating risk plans (See Section II, *infra*.) Minnesota counties, in particular, were and continue to be adversely affected by this wide disparity in payment rates from county to county. Minnesota's historically efficient system, including its early development of HMOs, was beneficial to the Medicare program because Minnesota's lower charges relative to the national average saved the program money. However, because Medicare managed care based its capitation amounts on historical charges, Minnesota counties were in effect punished for their efficiency with low capitation amounts. Other states and counties that had high service use patterns and inputs costs were paid generously for their inefficiency. Under current federal law and regulations, these rates are locked in perpetuity. Given the purpose of Medicare+Choice—to provide uniform incentives—this capitation payment methodology, based on data that punished historical efficiency, is irrational.

The BBA replaced the AAPCC methodology and created the current capitation payment methodology, but it retained the old AAPCC rates for its baseline, which are the substantive statistics on which the BBA's new tabulations rely. Specifically, the BBA created a Medicare Part C ("Medicare+Choice"), under which Medicare's monthly capitation payment is the greater of: (a) a blended capitation rate, which is the sum of a percentage of a county-specific rate and a percentage of a price-adjusted national rate, multiplied by a budget neutrality factor designed to ensure that the aggregate payments under this blended rate do not exceed the amount that would have been paid under an AAPCC rate alone; by the year 2003, a maximum blend will consist of a 50% county-based rate and a 50% national capitation rate; (b) a minimum monthly payment level, which in 1998

equaled \$367; or (c) a minimum 102% of the previous year's capitation rate.

That is, the BBA failed to jettison AAPCCs altogether and to recalculate plan payments derived from a new statistical baseline. The inherent inequities that result from county-based fee-for-service projections remain in the capitation payment structure. Minnesota continues to suffer from disparate treatment, although Medicare's mission is to provide an equitable entitlement for all American citizens regardless of residency. Even the adoption of the blended-rate rule under the BBA has had no relative, immediate effect, because the combination of the low national growth percentage and the budget-neutrality rule has delayed its application. (See Section III, *infra*.)

The second component of Medicare's risk program payment methodology is the adjusted community rate mechanism. The ACR mechanism is the process through which health plans determine the minimum amount of Medicare non-covered benefits they provide to enrollees (the "required benefit value") and the premiums they are permitted to charge for those extra benefits. When compared to its low ACRs, Minnesota's low payment rates crystallize the unfair nature of basing capitation payment rates on Medicare fee-for-service data as a means of creating uniform incentives to participating risk plans.

The ACR process requires a plan to use its costs and revenues from its commercial business to estimate the cost of providing services to Medicare enrollees. This cost report is the actual "adjusted community rate." If the monthly capitation payment exceeds the ACR, Medicare requires risk plans do one of three things: (1) receive only the ACR amount from the government; (2) contribute all or a portion of the excess money into a stabilization fund; or (3) provide beneficiaries with additional benefits with a value equal to the difference between the ACR and AAPCC or the "required benefit value." Thus, one of the key purposes behind the ACR mechanism becomes all too clear. Congress created Medicare+Choice and the ACR mechanism to furnish participating plans with incentives to choose option three. If plans could reduce their ACRs, their static capitation payments would enable them to attract Medicare customers with additional non-covered benefits. The magnitude of the capitation payment/ACR difference (or the required benefit value per enrollee) is the crucial determination of the scope and amount of additional benefits one receives under Medicare.

As such, the disparate payment rates when compared with ACRs are evidence of an irrational and unfair reimbursement system that does not give Minnesota participating plans any incentive to provide non-covered benefits. (See Section II, *infra*.) The capitation payment rate punished Minnesota for efficiencies the state health care system had achieved in the 1970s and 1980s. Because counties outside Minnesota with historically high fee-for-service rates eventually enacted managed-care reforms and instituted cost-effective, efficient measures (as reflected in their continuously decreasing ACRs), the magnitude of their required benefit values are high. This allows risk plans in those counties to offer additional non-covered benefits to their beneficiaries for little or no additional cost. However, Minnesota counties could not undergo a similar evolution towards increased efficiency or cost-effectiveness. Counties in Minnesota had a long history of efficient health care (a legacy of the state's pioneering efforts in managed care). As a result, Minnesota ACRs have been low for decades, and the difference between Minnesota's historically low capitation pay-

ments and its ACRs were, and continue to be, extremely small or nil. Consequently, the system is inherently unfair—Minnesota beneficiaries are not entitled to the same non-covered benefits that other citizens in other states' counties enjoy, because participating risk plans in Minnesota have no incentive to provide such services. That is, plans in different states have vastly different required benefit values. (See Section II, *infra*.)

Under a rational and equitable system, the ACR and the capitation payment rates should almost perfectly correlate, taking into account the differences in costs of commercial and Medicare beneficiaries. That is, the dollar difference between a risk plan's ACR and its capitation payment should have the same purchasing power regardless of the county in which a beneficiary resides. However, this is simply not the case. Instead, the required benefit values vary wildly from county to county, and this translate into inequitable access by senior citizens to non-covered benefits and services. (See Section II, *infra*.)

#### C. EFFICIENCY

The current reimbursement system for Medicare+Choice encourages inefficiency in an era when the federal government should be encouraging efficiency. The fact is that States are in effect rewarded for historically inefficient health care systems with high capitation payments, and Medicare+Choice essentially punishes Minnesota for its pioneering efforts in managed care. While Part C currently awards efficiency with large required benefit values (i.e., participating plans are encouraged to reduce their ACRs) the fact that capitation payments remain static perpetuates historical inefficiency built into the system.

Minnesota's unique history precludes the state from reaping the benefits of large required benefit values. Because the BBA shackled capitation payment increases with a budget neutrality rule (see Section III, *infra*), Minnesota counties continue to receive chronically low and inadequate reimbursement rates. A system that truly encouraged efficiency would take into account Minnesota's pioneering efforts in health care and reward the state with higher capitation payments. This would translate into larger required benefit values for participating plans.

One of the most pressing issues facing the United States today is the enduring trend of rising health care costs. These rising costs prevent the health care system from providing universal coverage; they stifle the expansion of life-saving and life-enhancing benefits, such as prescription drug coverage; and they burden covered beneficiaries with higher premiums and co-payments. Thus, Minnesota's chronically low payments prevent the state from capitalizing on its unique place in history. Minnesota bucked the trend of rising health care costs and actually delivered high quality, affordable care to its citizens. Minnesota's success should be held as a model for the nation and an example of what our country can do to reign in health care costs. However, Medicare+Choice does just the opposite by undermining the drive for greater efficiency.

In sum, by ruling in favor of Minnesota in this lawsuit, the Court has the unique opportunity to accomplish what the United States Congress has to date been unable to do: promote quality health care that is equitably delivered in an era of rising health care costs.

#### II. CONSEQUENCES OF THE SYSTEM ON MINNESOTA

The effects of this irrational system have been devastating to the state of Minnesota

and its citizens. Minnesota counties' capitation payments are alarmingly low when compared with the capitation payment rates of counties in other states, and its ACRs have remained static. As a consequence, access by Minnesota seniors and Minnesota's enrollment rates in Medicare+Choice are adversely and disproportionately affected.

#### A. DISPARATE CAPITATION PAYMENTS

The disparity of capitation payment rates for Minnesota and other states is striking. In 1997, the reimbursement rate for Dakota County, Minnesota was \$379.11; in Hennepin County, Minnesota, the rate was \$405.63. In 1997, the reimbursement rate for Richmond County, New York, was \$767.35, while in Dade County, Florida, the AAPCC rate was \$748.23.

In 1997, every county in Minnesota had an AAPCC rate below the national average AAPCC rate. In 1999, despite the BBA reforms, little changed. The capitation payment rate in Dakota County was \$394.42, while the payment rate in Broward County, Florida, was \$676.64. (See Appendix A; see also Section III, *infra*.)

#### B. DISPARATE EFFECTS OF THE ACR MECHANISM

In addition, because of its historic efficiency, Minnesota's ACRs have remained static. Consequently, the difference between Minnesota's low capitation payments and its static ACRs is minimal or non-existent. Conversely, other states with recently improved efficiency have experienced falling ACRs, enabling them to enjoy large required benefit

values as a result of their high capitation payments and low ACRs. The result is that different managed care plans in different states have different incentives with regard to non-covered benefits. In Minnesota, seniors face high Medicare premiums and co-pays and receive few or no non-covered benefits, while other states' citizens enjoy a multitude of life-saving and life-improving non-covered benefits with few or no extra payments. Nowhere is this more obvious than in coverage for prescription drugs.

The following chart illustrates the differences between required benefit values in different metropolitan areas:

TABLE 1.—RISK-PLAN BENEFITS AND MONTHLY PREMIUMS BASED ON ADJUSTED COMMUNITY RATE PROPOSALS BY MARKET, 1995

(Dollars per month)

Primary Metropolitan Statistical Area	Number of Plans	Required Benefit Value	Optional Benefit Value	Premium Charged
United States .....	174	\$25.17	\$56.67	\$22.04
Boston .....	8	4.09	71.56	47.84
Chicago .....	3	24.45	38.31	0.00
Los Angeles .....	13	68.83	37.18	6.08
Miami .....	8	106.27	20.75	0.00
Minneapolis .....	3	0.00	75.89	60.97
New York .....	5	53.37	46.77	8.80
Philadelphia .....	6	19.30	66.85	10.00
Portland, OR .....	7	9.38	64.52	46.00
San Francisco .....	8	21.50	56.96	20.25
Nonmetropolitan California .....	6	14.43	60.19	31.08
Nonmetropolitan Florida .....	5	12.46	73.61	9.80
Nonmetropolitan Pennsylvania .....	3	6.70	62.18	18.14

Note.—Required benefit values is equal to Medicare savings in the adjusted community rate proposal; optional benefit value is equal to the maximum monthly premium. Values are unweighted averages of all Medicare risk plans.

Data Source: Physician Payment Review Commission (now Medicare Payment Advisory Commission) analysis of 1995 adjusted community rate proposal data from the Health Care Financing Administration.

Table Source: United States House of Representatives Committee on Ways and Means, 1998 Green Book: Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means Washington, D.C.: U.S. Government Printing Office, May 19, 1998. P. 200, Table 2-36.

For example, a Medicare+Choice enrollee in Dakota County, Minnesota may choose the HealthPartners—Standard Option ("Minnesota Plan") by paying—in addition to Medicare Part B's premium—an annual premium of \$1,137. By contrast, a similar enrollee in Broward County, Florida pays no additional costs. The Minnesota beneficiary pays a \$10 co-pay per visit with his or her personal physician or specialist doctor, while the Florida beneficiary pays no additional co-pay. Except for injectable insulin, the Minnesota beneficiary pays all costs for all outpatient prescription drugs, while the Florida beneficiary pays nothing for a full outpatient prescription drug benefit. The Minnesota beneficiary pays 20% for out-of-area ambulance transportation, while the Florida beneficiary pays nothing for such transportation. The Minnesota beneficiary pays a \$10 co-pay for each individual outpatient mental health session, while the Florida beneficiary pays nothing for each session. The Minnesota beneficiary pays a \$30 co-pay for emergency services, while the Florida beneficiary pays nothing for such services. The Minnesota beneficiary pays a \$30 co-pay for "Urgently Needed Services" in the plan's service area, while the Florida beneficiary pays nothing. (see *Plaintiffs' Complaint*, paragraphs 32-40.)

#### C. EFFECTS ON ACCESS AND ENROLLMENT

The disparate effects of Medicare+Choice's reimbursement system have adversely affected Minnesotans' access to and enrollment in participating risk payment plans. Minnesota health plans have entirely withdrawn from or declined to participate in the Medicare+Choice program, have withdrawn from offering such plans in various counties in Minnesota, or have suffered a reduction in the available networks of health care providers that provide medical services to enrollees. Currently, only three health plans offer Medicare+Choice plans to seniors in Minnesota—and this figure represents a reduction from the previous figure of four. Such limited Medicare+Choice plans are

available almost exclusively in the counties of the Minneapolis-St. Paul metropolitan area and are not generally available to beneficiaries in rural Minnesota counties. (Refer to Table I for a list of the number of participating plans by state or metropolitan area.)

#### III. POLITICAL AND LEGISLATIVE SOLUTIONS HAVE BEEN INADEQUATE

Legislative and political solutions to Minnesota's low capitation payments have been largely unsuccessful. From its inception, AAPCCs were based on arbitrary tabulations, and early demonstration projects indicated that the payment methodology was problematic. Furthermore, when legislative relief came in 1997, the BBA failed to adequately ameliorate payment disparities.

##### A. EARLY HISTORY

From the first risk-contracting demonstration projects in the late 1970s, it was clear that the method of reimbursement was flawed for use in rural- and conservative-practice areas. Risk contracting was first authorized in 1972, but due to poor provider participation, the Health Care Financing Administration (HCFA) solicited applications for new models for capitated payments in 1978. Five demonstration projects resulted, one of which, the Greater Marshfield (Wisconsin) Community Health Plan, was located in a rural area.

Reimbursement rates for all five projects were established at 95% of the average FFS costs for the counties involved in the demonstration, a schedule that became known as the AAPCC. This value of 95% of the average FFS was arbitrarily chosen and is not substantiated by research that would show this value represents an expected savings from coordination of care. The formula has failed to provide all Medicare beneficiaries equal access to the Medicare+Choice option.

Though Marshfield succeeded in reducing utilization of services by nearly 10 percent over the course of the demonstration the total loss for the plan and its sponsors was over \$3 million. With these losses in mind, the HCFA terminated the Marshfield dem-

onstration. Marshfield responded by requesting experimentation with the AAPCC to see if some alternative or variation could more accurately predict cost. The HCFA rejected this suggestion without explanation.

In the early and mid-1980s, more demonstrations were established. Plans in the Twin Cities of Minnesota provided additional, non-covered benefits, such as outpatient prescription drugs, and competed aggressively for enrollment. Enrollment in risk products grew dramatically, to a peak of 60% of the Twin Cities metro area's senior population by 1986-87. Nationally, in fiscal year 1986, \$1.3 billion was reimbursed to 142 risk contractors who provided care to nearly 75,000 beneficiaries.

In response to market interest, several plans expanded their Medicare risk service areas to rural counties, assuming that lower AAPCCs in those counties would correlate with lower cost to serve a rural population. However, the reverse proved to be true and seniors flocked to the plans' comprehensive coverage with significant pent up demand. After a couple years of significant losses, most of the plans withdrew from rural counties, and again, the payment structure failed beneficiaries in rural areas.

The mid- and late-1980s saw several years of no increase in the AAPCCs, with payments actually falling in at least one year. As a result, health maintenance organizations (HMOs) which had long-since pulled out of rural areas began to reduce benefits and significantly raise member premiums. Enrollees began to pay more and more of the cost of the added benefits through their premiums. Increasing numbers of seniors moved to lower option risk products without prescription drug coverage as the higher option products became unaffordable for many. Even with significant member cost-sharing, many of the HMOs experienced marked losses and began exiting the risk contract business.

Analysis by the Physician Payment Review Commission in 1997 shows that in June 1997, 33% of all Medicare beneficiaries lacked

access to risk plans. At the same time, some 60% of beneficiaries had a choice of plans, and one-third had five or more available to them.

Patterns of enrollment differ across urban and rural locales, as well as across different regions in the nation. Enrollment in central urban areas was about 24% in June 1997, about twice the level in outlying urban areas. Urban areas with the greatest share of national enrollment growth tend to be those where Medicare payments are high. Enrollment is generally higher in western states and a few specific southern and eastern states. In fact, five states account for over two-thirds of all enrollees. (For statistics regarding access and enrollment rates, see United States House of Representatives Committee on Ways and Means, 1998 Green Book: Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means. Washington, D.C.: U.S. Government Printing Office, May 19, 1998, Section 2: Medicare.)

No actions taken to date have resolved the underlying arbitrary and flawed AAPCC formula, which is responsible for creating all the disparities in reimbursements to plans and benefits to beneficiaries. The old AAPCC formula, and the new configurations which rely upon the AAPCC, were not based on actuarially sound data. Given the discrimination the current system creates across the country and between beneficiaries enrolled in a national, uniform program, there is no reasonable basis for this formula.

#### B. THE BALANCED BUDGET ACT

The BBA was Congress' first legislative attempt to comprehensively address the issue; however, the BBA failed to ameliorate the inherent deficiencies and irrationality of the reimbursement system. At present, participating risk plans in Minnesota do not have any incentives to offer non-covered benefits to their beneficiaries. This is because the BBA did nothing to substantially reform the ACR mechanism, nor did it adequately address the disparities in capitation payment rates.

The BBA sought to lessen payment disparity by de-linking AAPCC updates from local FFS spending. The BBA established a new mechanism for calculating Medicare's monthly payments to HMOs and other managed care and capitated plan providers. A county's Medicare+Choice payment was the higher of three different rates—a floor payment of \$367, a minimum annual increase of 2 percent, or a 50/50 blend of local and national rates that was to be fully phased-in by FY 2003.

Initially, many rural counties in Minnesota received significant reimbursement increases under the new floor payments. For example, Watonwan County saw AAPCC reimbursements increase from \$251.05 to \$367.00 (a 32 percent increase) in 1998, but this is still a far cry from the nearly \$800 rate paid to other counties in other states. Unfortunately, these payments were essentially frozen at these new floor levels, as the local/national blend was difficult to implement because of a budget-neutrality provision. (See Appendix B.)

In both 1998 and 1999, none of Minnesota's counties received a local/national blend rate. This outcome resulted from the budget neutrality provision of the BBA, which requires that Medicare+Choice payments not exceed payments that would have been made if payments were based solely on local rates. According to the House Committee on Ways and Means, a budget neutrality adjustment is "applied as necessary to the blended rates to ensure that the aggregate of payments for all payment areas equals that which would have been made if the payment were based

on 100 percent of the areas-specific capitation rates for each payment area. In no case may rates be reduced below the floor or minimum increase amounts for the particular county. In some years, it may not be possible to achieve budget neutrality because no county rate may be reduced below its floor minimum increase. The law makes no provision for achieving budget neutrality after all county rates are at the floor or minimum increase." (see 1998 Green Book, *supra*.) In other words, if awarding each county the maximum rate (among its floor, blend, or minimum update) results in total payments that exceed the budget neutral target, counties which would otherwise receive the blend rate have their rates reduced to meet the target. The net result in 1998 was that Minnesota's urban counties (e.g. Hennepin and Ramsey Counties) received only a 2% increase and fell even further behind the highest reimbursed counties in other states. (see Appendix A.)

In 1999, the budget neutrality provision reduced Medicare+Choice rates for aged beneficiaries in 1,293 counties. These counties would have received blended-rate amounts if sufficient monies were available to fund all counties at the maximum of the floor, blend, or minimum update. Consequently, as a result of the budget neutrality provision, the gap between high and middle level AAPCC counties, contrary to Congressional intent, actually grew in the first year of BBA. Two years after enactment of the BBA, counties in Minnesota were still 21 percent below the national average reimbursement level for Medicare+Choice.

Essentially, these variations in reimbursements have created a two-tiered system of health care delivery, which is the foundation of the plaintiffs' lawsuit against the federal government. As the lawsuit rightly contends, these payment imbalances have created a geographical class system of Medicare benefits where beneficiaries in high cost areas receive extra benefits at no additional cost, while beneficiaries in low cost areas are denied these benefits.

#### IV. CONCLUSION

For the forgoing reasons, the undersigned *amici curiae* respectfully request this Court to deny Defendants' Motion to Dismiss.

#### HONORING FATHER CARL VOGEL OF TEXAS

#### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. HALL of Texas. Mr. Speaker, today I recognize the 50 years of ministry that Father Carl Vogel has given to the Catholic community in Texas. Since 1984, he has been with the St. Michael Parish in McKinney, which is part of the Fourth Congressional District of Texas. Father Vogel celebrated his 50th anniversary of ordination with a Mass on May 28 at St. Michael, followed by a reception attended by his devoted parishioners and many friends.

A list of credentials and milestones of Father Vogel's career would not begin to describe the many ways in which this man has served his parish—embracing not only the trials and troubles of his parishioners, but their joys as well. He is the ever-constant protector and confidant that people seek out in their pastor. He is faithful to the teachings of the church and faithful to his parish, and his serv-

ice has been imbued with a characteristic sense of humor that has endeared him to all those who know him.

In addition to the May 28 celebration at St. Michael, other celebrations were planned at the Holy Family Mission in Van Alstyne, Texas, where Father Vogel is also pastor, and at Christ the King Church in Dallas, where he celebrated his solemn Mass in 1950.

Father Vogel grew up in the Oak Cliff section of Dallas and attended Blessed Sacrament Church and Our Lady of Good Counsel School. After his graduation from St. Joseph High School, he enrolled in college to study journalism. The calling to the priesthood prevailed, however, and he followed that call at St. John's Seminary in Little Rock, Arkansas. Father Vogel served as a military chaplain for nearly three decades and was a chaplain for the Armed Forces during the Cuban Missile Crisis of the early 1960s. Prior to his assignment at St. Michael, Father Vogel served at Our Lady of Victory in Paris, Good Shepherd in Garland, St. Patrick in Denison, St. Cecilia in Dallas and St. Patrick and St. Rita parishes in Fort Worth.

Mr. Speaker, it is an honor for me to pay tribute to this beloved priest from the Fourth District of Texas. Father Carl Vogel has devoted his life to the ministry. He has helped countless souls in his care and is loved and respected by so many who have known him and whose lives he has blessed. I know and love Father Vogel. I have changed schedules many times just to get to appear with him at public ceremonies. His prayers sustain me and all those who hear him. His devotion to his calling for 50 years warrants our recognition and appreciation today, so as we adjourn, let us do so in honor of Father Carl Vogel.

#### NARCOTIC DRUGS

#### HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. SOUDER. Mr. Speaker, I rise on behalf of the countless mothers, fathers, families, and individuals whose lives have been devastated by illegal drugs to introduce legislation to federally nullify movements in the states to legalize the use of narcotic drugs illegal under federal law.

It is undisputed that narcotic drugs devastate our families and rot our communities literally to the core through addiction and crime. Earlier this week, we passed the Commerce/Justice/State Appropriations bill that provided literally hundreds of millions of our tax dollars to fight drugs and drug-related crime, and we are finalizing action on \$1.3 billion in assistance to our allies in Colombia, where agents of the Colombian National Police are dying in numbers to keep them off of our streets in America.

Directly defying our efforts as a Congress and a nation, a small group of well-funded activists have engaged in deceptive, back door, efforts that pretend to legalize drugs under state law that are banned under federal law. These activists hide behind the myth of so-called "medical" use of marijuana and other drugs, despite the facts that there is no scientific proof that smoked marijuana provides any real medical relief, and that the active ingredient in marijuana is available in pill form.

Increasingly, however, they have abandoned even this pretense, and made clear that their goal is the legalization or decriminalization of narcotic drugs.

One activist called it the "leaky bucket strategy . . . legalize it in one area, and sooner or later it will trickle down into the others." The bucket is now leaking faster.

The Governor of Hawaii just signed into law state legislation that purports to allow the "medical" use of marijuana, even though it's still illegal under federal law. Five states have enacted laws by ballot initiative that purport to allow so-called "medical" use of marijuana under state laws: Alaska, California, Maine, Oregon and Washington. In furtherance of that strategy, pro-drug activists are now attempting to pass ballot initiatives for the November elections in six states to virtually decriminalize marijuana by removing criminal penalties for its use in Alaska, Arizona, California, Colorado, Massachusetts, and Michigan.

These initiatives have already given us such Alice-in-Wonderland moments as the "nation's first bed and breakfast inn catering to medical marijuana users" in Santa Cruz, California. This "establishment" was featured in *People* magazine with a smiling couple holding marijuana plants in front of their home, which is said to contain cannabis-themed tiles on the sidewalk, and hemp curtains and towels. That really sounds like a "medical" facility to me. We've also seen the bizarre decision by the Oakland City Council to declare a "public health emergency" after a court closed the city's medical marijuana club, and the issuance of photo ID cards supposedly allowing marijuana use by the Arcata, California police chief.

But this is all an illusion—states can't permit marijuana use, because it's illegal under federal law. The legalization initiatives mislead the public into breaking federal law and directly counter congressional policies against drug use and the provisions of the federal Controlled Substances Act. Today, I am introducing legislation to stop this charade once and for all, with the support of my colleagues on the Speaker's drug task force and others, including Task Force Co-Chair MCCOLLUM, Chairman MICA of the Drug Policy Subcommittee, Chairman GILMAN, Mr. SESSIONS, Mr. NORWOOD, Mr. MYRICK, Mr. FOLEY and Mr. BAKER.

Federal law is ordinarily assumed to preempt contrary state laws. However, the Federal Controlled Substances Act does not contain an express preemption clause, and currently has language stating that the intent of Congress is not to occupy the entire field of regulation of narcotic drugs. In light of the state initiatives, federal courts could potentially interpret the language of state efforts to regulate narcotics as legally harmonious and proper. In fact, one federal district judge has already argued in non-binding language that Congress intended federal law to regulate drug trafficking, and not "medical" marijuana use.

My bill will remove any potential loophole or ambiguity by clearly declaring that it is the intent of Congress for federal law to supersede any and all laws of states and local governments purporting to authorize the use, growing, manufacture, distribution or importation of any controlled substance which differs from

the provisions of the Controlled Substances Act and the Controlled Substances Import and Export Act. It would also expressly declare such state and local enactments as null and void. If enacted, the bill would decisively prohibit federal and state judges from giving any effect to drug legalization initiatives and legislation, and send an equally clear message that Congress will not tolerate backdoor efforts to legalize narcotic drugs.

Mr. Speaker, this bill is not my bill—it belongs to our mothers, fathers, families and our communities. It has strong support from numerous community groups and coalitions, narcotics activists, and tireless anti-drug advocates, who have worked closely with my office in drafting this bill. I would particularly like to acknowledge and thank Joyce Nalepka of America Cares, who first raised this important issue with me. I look forward to working with the anti-drug community to pass this legislation, and I urge my colleagues to join me in supporting and passing it.

[From *People* Magazine, June 12, 2000]

JOINT VENTURE—WHEN POT'S PRESCRIBED,  
THE HIGH WAY LEADS TO THE COMPASSION  
FLOWER INN

At the Compassion Flower Inn in Santa Cruz, Calif., there are smokers—and there are smokers. Cigarette smokers are banished to the front porch. Smokers, on the other hand, may feel they've died and gone to pot. Cannabis-themed tiles adorn the sidewalk outside. Curtains, linens and towels are made of hemp. And . . . say, what is that funny smell, anyway?

The five-bedroom bed-and-breakfast, just a stoner's throw from the beach, exists as a safe—and perfectly legal—haven for people who smoke marijuana for medical reasons. "Motel 6 guests probably smoke it quietly in their rooms," says Andrea Tischler, 57, who with her partner, Maria Mallek-Tischler, 46, opened the inn in a restored Victorian in April. "This is more out of the closet."

Guests who show up hoping to be provided with marijuana go away disappointed; the Compassion Flower is strictly BYOP. And, as required by California law, a doctor's note is also necessary. Tischler, who grew up in Chicago, and German-born Mallek-Tischler, a couple since 1979, have been pot-legalization activists since the 1980s in San Francisco. "We had a lot of friends with AIDS," says Tischler. "They were taking AZT, and marijuana seemed to bolster their appetite."

Out in the sunshine-soaked "toking area," a new arrival, Scott Byer, 53, of Clearlake, Calif., who smokes to ease spinal pain, has taken out a small porcelain pipe and is filling it. He doesn't even have his room key yet.

A GREAT AMERICAN POINT OF  
LIGHT, EILEEN D. COOKE

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. OWENS. Mr. Speaker, Eileen D. Cooke was first and foremost a librarian, a member of the profession that knows where to find the information about any phenomenon known to human kind. She started her career as a bookmobile librarian for the Minneapolis Public Library. She concluded her career as a well-

known Washington lobbyist. Mr. Speaker, I rise to mourn the loss of Eileen Cooke and to salute her as a great American Point of Light.

As a result of Eileen Cooke's efforts the library profession moved into the mainstream of the political process. She demanded that the federal government recognize and respect libraries as universal institutions in our democratic society which deserve greater and more consistent support. Her years as Director of the ALA Washington Office were marked by increases in federal funds for libraries, new initiatives in legislation, and opportunities for library participation in a wide range of federal assistance programs. As a Congressman who is also a professional librarian I became a partner with Ms. Cooke in the drive to achieve priority status for libraries in the overall effort to accomplish a better educated America.

With indefatigable optimism Eileen Cooke worked with Members of Congress, staff assistants, educational and cultural organizations, and all others who supported education and libraries. She brought to ALA and library services greater visibility and understanding. Her exceptional leadership skills enabled her to develop and maintain a small but dedicated, energetic and productive staff. She left a cadre of experienced and skillful followers as a potent and enduring legacy.

After joining the ALA Washington Office, she lectured at several of the library schools and spoke at many of the annual conferences of the state library associations. She served on the boards of several Washington-based organizations; was the first woman president of the Joint Council on Educational Telecommunications; served on the Board of Visitors of the School of Library and Information Service Satellite Consortium; and on the Advisory Council of the Home and School Institute, Inc.

During her tenure in Washington, Eileen Cooke worked on every major piece of library legislation and helped prepare witnesses to testify before Congress. This includes, among other issues, the Library Services and Construction Act, the Higher Education Act, the Elementary and Secondary Education Act, the Medical Library Assistance Act, Copyright Revision Act, the National Commission on Libraries and Information Science, both bills calling for a White House Conference on Library and Information Services, as well as the various annual appropriations bills to fund these programs.

On the occasion of her retirement, former ALA President and Director of the District of Columbia Public Library, Hardy Franklin, described Eileen Cooke as a "51st State Senator on Capitol Hill." She was a fighter capable of hard-nose analysis but always focused and deliberative. She was a coalition builder who won both fear and admiration from her adversaries. Above all she had vision and could see far ahead of the government decision-makers. She understood the nature of the coming "Information Superhighway" and could predict the vital role of libraries and librarians as the traffic signals on this expressway into the cyber-civilization of the future.

Mr. Speaker, the work of Eileen D. Cooke benefits all Americans. She has won the right to be celebrated and saluted as a Great American Point-of-Light.

DEPOSIT INSURANCE INCREASE  
FEASIBILITY ACT OF 2000

**HON. CHARLES A. GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. GONZALEZ. Mr. Speaker, recently, I introduced H.R. 4603, the "Deposit Insurance Increase Feasibility Act of 2000." I decided to introduce this bill after being contacted by various representatives of the financial services community who are interested in researching the feasibility of increasing the current deposit insurance coverage limit, which has been set at \$100,000 since the early 1980s. Several different proposals crossed my desk, but I decided to take the more moderate and prudent approach for the time being. My bill, H.R. 4603, the "Deposit Insurance Increase Feasibility Act of 2000," would, I believe, take the proper approach to this question at this time.

As introduced, H.R. 4603 will require two different studies and reports on the feasibility and potential impact of increasing the maximum amount of deposit insurance under the Federal Deposit Insurance Act and the Federal Credit Union Act from \$100,000 to \$200,000 per depositor and require the noted U.S. financial services regulatory agencies to recommend an appropriate deposit insurance level for both banks and credit unions but through two separate but equal studies. The bill would also require two separate but equal reports to be submitted to Congress six months after the date of enactment of the legislation.

Congress has often been accused of jumping the gun and failing to thoroughly research an issue prior to acting. Congress has also been accused in the past of failing to move in a timely manner on numerous issues. Case in point is the decades Congress spent reviewing the potential reform of the Glass-Steagall Act before finally enacting financial services reform legislation last year in the form of S. 900, which I supported. For these reasons, I decided to introduce this bill in the form of a study instead of an immediate increase in deposit insurance coverage. The study will hopefully acknowledge that deposit insurance has become an indispensable part of the financial services landscape while promoting consumer trust and confidence in all U.S. financial institutions. More importantly, the two studies will provide Congress with the recommendations it will need by both the banks and credit union regulatory agencies to thoroughly assess all possible ramifications of any change in the level of insurance coverage. In this way, few will attempt and virtually none will be able to say that Congress acted imprudently. The fact that the studies and reports are to be completed and submitted within six months of the date of enactment of my bill provides enough time for a thorough review of the issue while also permitting Congress to access the studies and reports in a timely manner, and hopefully move on the recommendations sooner rather than later. Such studies and reports should serve to permit those regulatory agencies which have recently expressed concern about increasing the deposit insurance limit to \$200,000 to participate in the review of the coverage limit and to provide a specific coverage limit recommendation to Congress. I should stress that this bill does not mandate

an increase. It calls for two studies and two reports on the subject. It provides for parity by including all the financial institutions regulatory agencies in the deliberations.

I have received a letter of strong support for H.R. 4603 from America's Community Bankers, which represents the nation's community banks of all charter types and sizes, and a letter strongly supporting the bill on behalf of the Credit Union National Association and the 78 million credit union members nationwide. I would ask that both letters be inserted in the CONGRESSIONAL RECORD immediately following this statement. I look forward to the bill's enactment and to receiving the dual reports in Congress sometime in the near future.

CREDIT UNION  
NATIONAL ASSOCIATION, INC.,  
*Madison, WI, June 9, 2000.*

Hon. CHARLES GONZALEZ,  
*Cannon House Office Building,  
Washington, DC.*

DEAR CONGRESSMAN GONZALEZ: On behalf of the Credit Union National Association (CUNA) and the 78 million credit union members nationwide, I am writing to express our support for the legislation you introduced yesterday, H.R. 4603.

CUNA and its member credit unions believe deposit insurance has become an indispensable part of the financial services landscape and has contributed significantly to consumer trust and confidence in all depository institutions. Because of this important role, CUNA strongly urges Congress to thoroughly assess all possible ramifications of any change in the level of insurance coverage, and we are encouraged by your proposed studies.

CUNA also favors the feature of the legislation that calls for a separate study of the National Credit Union Share Insurance Fund (NCUSIF). Operationally and structurally, the NCUSIF is unique among federal insurance funds and merits an appraisal that considers and evaluates its distinctions.

We commend you for the prudent and sound approach you have taken to this important and complex issue. CUNA looks forward to playing a helpful role in the enactment of H.R. 4603, and I encourage you to contact me if I can be of further assistance.

Sincerely,

DANIEL A. MICA,  
*President and CEO.*

AMERICA'S COMMUNITY BANKERS,  
*Washington, DC, May 26, 2000.*

Hon. CHARLES A. GONZALEZ,  
*House of Representatives,  
Washington, DC.*

DEAR REPRESENTATIVE GONZALEZ: America's Community Bankers strongly supports your draft bill, the "Deposit Insurance Feasibility Act of 2000." America's Community Bankers represents the nation's community banks of all charter types and sizes. ACB members pursue progressive, entrepreneurial and service-orientated strategies in providing financial services to benefit their customers and communities.

Bankers would welcome an increase in deposit insurance. ACB cautions, however, that bankers need to know first whether they would incur an increase in premiums or other costs. That is why we are particularly pleased that your bill would help answer this important question.

Taking inflation into account, the coverage limit today could be increased and indexed to prevent further erosion. But if an increase in insurance coverage merely resulted in a reshuffling of deposits among banks, a redistribution might be particularly damaging for smaller community banks and their customers.

Again, ACB strongly supports your draft bill, and stands ready to offer any assistance at our disposal.

Sincerely,

ROBERT R. DAVIS,  
*Managing Director,  
Government Relations.*

PERSONAL EXPLANATION

**HON. DARLENE HOOLEY**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Ms. HOOLEY of Oregon. Mr. Speaker, on Wednesday, June 28, 2000 during the Democratic motion to recommit H.R. 4680, my pager malfunctioned.

As a result, I was not aware of the ongoing vote, and as a result I was prevented from participating.

However, if present I would have voted "yes" on this measure (Vote 356).

COMMENDING THE FIRST BAPTIST  
CHURCH OF CEDARTOWN YOUTH  
CHOIR FOR PARTICIPATING IN  
THE NATIONAL FESTIVAL OF  
YOUTH CHOIR

**HON. BOB BARR**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. BARR of Georgia. Mr. Speaker, yesterday I had the opportunity to meet with a very special group of young people from my home district in Georgia. The First Baptist Church Youth Choir, from Cedartown, Georgia, are in Washington to participate in the Fourth Annual Nation's Capital Festival of Youth Choirs.

The festival this year is being hosted by the First Baptist Church of Alexandria, Virginia. The festival, first started as a result of efforts of Randy Edwards, a pastor from Shreveport, Louisiana, who formed "Youth Choirs, Inc.," a non-profit organization. This organization was dedicated to building church youth choirs across denominational lines. The festival choir consists of 300 youth from across the nation.

The festival is limited to 300 singers, and this year is made up of 17 youth choirs from throughout the country. I was honored to spend time with the First Baptist Church of Cedartown Youth Choir. The group consists of high school students who are members of this church and the Second Avenue Baptist Church in Rome, Georgia. They were accompanied on this trip by their church music directors, Mitch Huskison of Cedartown, and Joe Preston of Rome, and several proud parents.

This choir from Georgia, along with those from other parts of the country, will deliver the prelude on Sunday, July 2nd at National Cathedral. The choirs, accompanied by an orchestra, will also present a "grand concert" at the First Baptist Church of Alexandria, Virginia.

In a world in which media attention frequently focuses on reporting youth violence, crime, lack of family values, and problems with our educational systems, it would behoove us all to take a moment to recognize the Christian young people who have worked to pay for this trip; and who have prayed for their leaders, their bus driver, the chaperones, all the

kids who are attending, and for themselves, that they might make beautiful music to glorify our Lord.

I salute the membership, staffs, parishioners, and parents of these students of the Cedartown First Baptist Church and the Second Avenue Baptist Church of Rome for supporting this great ministry.

#### PERSONAL EXPLANATION

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mrs. EMERSON. Mr. Speaker, I was attending my daughter's high school graduation and missed the following recorded votes. Had I been present, I would have voted, "no" on rollcall vote 292, "no" on rollcall vote 293, "no" on rollcall vote 294, "yes" on rollcall vote 295, "yes" on rollcall vote 296, "yes" on rollcall vote 297.

#### IN SPECIAL RECOGNITION OF BILL AND HELEN LOTT ON THE OCCASION OF THEIR 60TH WEDDING ANNIVERSARY

### HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. GILLMOR. Mr. Speaker, today I recognize a very special couple from the state of Ohio. Mr. Speaker, on Friday, June 30, 2000, in the presence of many of their family members, neighbors, and friends, Bill and Helen will celebrate a milestone day in their lives—the celebration of their sixtieth wedding anniversary.

Mr. Speaker, the celebration of the sanctity of marriage is one of our most cherished and time-honored traditions. Throughout the ages, husbands and wives have reaffirmed their trust, faith, and most importantly, love for each other on their wedding anniversaries. On this most treasured day, we, as their friends, neighbors, coworkers, and family members, have the opportunity to recognize them for their commitment, their sharing, and their love for each other.

The day on which two people are united in marriage is much more than simply a ceremony, with wedding vows and the exchanging of rings. It is the true union of two individuals who then become one, inseparable entity. It is the common bond and an unwavering dedication to each other that enabled their marriage to grow and flourish.

Mr. Speaker, for the past 60 years, Bill and Helen have shown how love, compassion, and conviction are the cornerstones of their long and lasting marriage. Their strong commitment to each other is an example for each of us to follow.

Mr. Speaker, at this time, I would ask my colleagues in the 106th Congress to stand and join me in paying very special tribute to Bill and Helen Lott on the occasion of their 60th wedding anniversary. May the love and happiness they have found stay with them far into the future. Again, best wishes and congratulations on sixty wonderful years together.

#### THE U.S. CAPITOL POLICE DEPARTMENT

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Ms. SANCHEZ. Mr. Speaker, today I address on the subject of funding for the U.S. Capitol Police.

The House has now passed legislation ensuring appropriate funding levels for this law enforcement division.

This Congress should take every opportunity possible to salute the police officers of this nation, as I do for those who serve my Congressional District in Orange County.

Our nation loses an officer almost every other day; we've lost three Capitol officers in the line of duty. And that doesn't include the ones who may be assaulted or injured.

The calling to serve in law enforcement comes with bravery and sacrifice.

The thin blue line protecting our homes, our families and our communities—and the foremost symbol of American freedom and democracy—pays a price, and so do the loved ones they leave behind when tragedy strikes.

They shouldn't have to do this dangerous job with inadequate resources.

We have a responsibility to see that law enforcement—particularly those who guard the Capitol—have the resources they need.

I want to recognize my colleagues for their support of necessary funding for the U.S. Capitol Police force.

#### PRESCRIPTION DRUG COVERAGE FOR SENIORS

### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. FORBES. Mr. Speaker, I'd like to submit a letter I received from Adam Zaveski of Southold, Long Island. Mr. Zaveski describes about his personal situation and the financial strains he and so many other seniors are experiencing.

DEAR MR. FORBES: I am writing this letter to let you know how some of our Senior Citizens have to live. I am 98 (and 5 months) years old and not able to do any work, blind in one eye, can't hear [any] word[s] hardly at all and can't hardly walk. I have to live on \$530.00 a month [from] Social Security and have a small income which, I have with my daughter who I live with. [It is] \$140.00 a month [and] she does not take any of it. She gives it all to me to pay for my medicine.

I have 5 prescriptions which cost me \$23.00 for one pill and I use 5 every day which runs into \$115.00 for 100 pills. I pay \$60.00 for EPIC and \$130.00 a month for [supplemental insurance through] AARP. Other medicines I pay [for] in cash.

You politicians do not realize that us Old Timers never got into the high wages that they get today. I used to farm for a living [and] only made a living. What money I had I spent on my wife. She had diabetes and had both feet amputated and spent 6 months in [the] hospital. I had no insurance and Medicare paid for 3 months and [I] had to pay the rest.

I think I [have] done some good in the country while I was young. I belonged to

[the] Fire Department [for] 60 years and I was a Trusted Lieutenant, Department Chief, and a Fire Commissioner for 9 years. 20 [years as a] School Trustee, 7 years [on the] 4H Executive Board, 40 [years as a] Farm Bureau Trustee and a political Trustee for 25 years.

Thank you,

ADAM ZAVESKI.

There are thousands of Mr. Zaveski's across this Nation who have given so much to make this country great. In their time of need, let's not turn our backs.

Now is the time that this Congress heard the pleas of our seniors and help Mr. Zaveski and others. Now is the time to pass a reliable, affordable and comprehensive Medicare prescription drug plan.

#### MEDICARE Rx 2000 ACT

SPEECH OF

### HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. KOLBE. Mr. Speaker, I believe every senior citizen should have insurance coverage for prescription drugs. Pharmaceuticals are increasingly an important part of modern medicine, and the cost of prescription drugs is rising faster than most seniors can afford. The truth is, however, that most seniors already have drug coverage, and some have excellent coverage. According to the Health Care Financing Administration (HCFA), 65% of Medicare beneficiaries already have prescription drug coverage, either through their former employer, through Medicaid or through the Medicare+Choice program.

Unfortunately, over 13 million remaining seniors have no prescription drug coverage at all. Often, these individuals are low-income seniors or people with large prescription drug costs (due to multiple medications). Sadly, these people often must choose between buying groceries or taking their medication. This travesty must not continue unabated.

I believe we can help low-income seniors while preserving and strengthening Medicare for current beneficiaries and future generations. Moreover, I think we can do this without increasing premiums of jeopardizing the fiscal stability of Medicare.

H.R. 4680, the bipartisan Medicare prescription drug bill accomplishes these goals.

For those seniors who have drug coverage, the bipartisan plan won't change a thing. These seniors would continue to enjoy the benefits of their existing plan, if they choose. For those seniors who do not have coverage, this plan will help them obtain coverage through Medicare. By doing this, the federal government can reduce drug prices for all seniors.

Specifically, H.R. 4680 would:

Lower drug prices and expand access to prescription drugs for all beneficiaries.

Protect seniors against higher drug prices and runaway out-of-pocket costs.

Subsidize insurance premiums and prescription drug purchases for low-income seniors.

Expand an individual's right to choose the coverage that best suits their needs through a voluntary and universally-offered benefit.

Preserve and protect Medicare to keep the program solvent for our children and grandchildren.



Ensure that today's scientific research and medical innovation will continue to find tomorrow's cures.

Invest \$40 billion to modernize and strengthen Medicare.

I encourage my colleagues to support this bill.

## TOM RYAN: A TRIBUTE

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. OBERSTAR. Mr. Speaker, I rise to pay tribute to a truly great American, Thomas J. Ryan, whom the Lord claimed for eternal life earlier this month.

Tom Ryan's 87 years were lived with the joy, wit, humor, intensity, and love of life unique to his Irish ancestry. Tom Ryan was husband twice: to Eileen, who preceded him in death; and to Miriam, with whom he shared 42 glorious years; he was father of 13, grandfather of 42, and great-grandfather of 36 and loved them all equally and dearly.

Tom Ryan served his country in the Navy during World War II; and, again, during the Korean conflict, as Special Assistant U.S. Attorney prosecuting OPS violations. He served the city of St. Paul as assistant city Attorney, the people of the 55th legislative district in the Minnesota House of Representatives, and served the people of Pine, Isanti, and Chisago counties in the Minnesota State Senate, making his mark with important legislation affecting the judiciary, towns and counties, veterans, and highways.

This brief recitation of only the highlights of Tom's professional life shows abundantly that he was a man who, in Justice Oliver Wendell Holmes' words, "lived grandly in the law"—meaning that he was devoted to and an advocate of the law. He was also devoted to public service as a calling and a vocation.

Tom Ryan was my friend, counselor, and role model in his commitment to his family first, and to the people whom he so ably served in both elective and appointive office.

Tom Ryan's life and legacy might best be summed up by a scripture verse I have always loved, from Proverbs, ch. 18, v. 31: "Gray hair is a crown of glory;" it is gained by virtuous living."

I will miss Tom greatly; but he will always be a part of my life and an inspiration to my public service. Tom, and especially Miriam, as well as all their beautiful family, will always be in my prayers.

Mr. Speaker, I submit for the RECORD the following obituary which appeared in numerous newspapers, as well as the beautiful poem, "The Heart of Solid Gold," written by Tom's loving daughter, Gloria Baker.

THOMAS J. RYAN

10/3/12—6/8/00

On October 3, 1912, Irishman, Thomas Joseph Ryan was born in Portland, Oregon. In 1935 he graduated from College of St. Thomas with a BA degree in social and political science. In 1943 he graduated from the William Mitchell School of Law with an LLB degree and was admitted to the practice of law in the state of Minnesota. His personal commitment to the field of law would not allow him to retire and he continued his private practice until the time of his passing.

From 1943 to 1946 he served in the U.S. Navy as Lieutenant J.G. After his discharge he was engaged in the general practice of law in Milaca area. During the Korean war he was appointed Special Assistant U.S. District Attorney in the prosecution of OPS violations. Thereafter, he was appointed assistant city attorney for the city of St. Paul, in which capacity he served six years. He had been connected with the Minnesota attorney general's office as special assistant in the trial of jury cases in highway condemnation matters and in writing opinions on municipal law.

His specialty while in the city attorney's office was in research and drafting legislation and in presenting proposals to the legislature.

He served as state representative of the old 55th district. As a member of the legislature he served upon many important committees such as the committees on judiciary, highways, towns and counties, and veterans and military affairs.

He ran for the office of state senator in the new 21st district comprising of Chisago, Isanti and Pine counties in 1962. He served as Pine County Attorney from 1974-1980, until his retirement, at which time he continued his private law practice in the Pine County area.

Thomas was preceded in death by his first wife Eileen (Fitzgerald), his parents, Thomas and Alice (Doyle) Ryan, brother Dr. James Ryan, son, Thomas J. (Ryan) Jr., infant Mary (Ryan), infant grandson Patrick Johnson, and numerous other relatives and friends.

He is survived by and sorely missed by his second wife and best friend of over 42 years, Miriam (Young Mueller), 13 children; Kathleen (Ryan) and Terrance Oakes, Ortonville; Constance (Ryan) and Thomas Oakes, Marine on the St. Croix; Thomas and Phyllis Mueller, Aitken; John Ryan, Astoria, Oregon; Patricia (Ryan) and Denis Paine, Isanti; Paul and Judy Mueller, Apple Valley; Michael Ryan and fiancée Helen Bartell, Mora; Carol (Mueller) and Roger Abdella, Pine City; Rosemary (Mueller) and Lawrence Perreault, Pine City; Gloria (Mueller) and Ralph Baker, Pine City; Mary (Mueller) and Dennis Willert, Pine City; Therese (Mueller) and Richard Prihoda, Pine City; Shawn (Ryan) and Douglas Johnson, Pine City, also survived by 42 grandchildren, 36 great grandchildren, many nieces and nephews.

Visitation and prayer service at Swanson Funeral Chapel, Pine City, Sunday, June 11, from 4:00 p.m.-7:30 p.m. Funeral mass celebration and burial will be on Monday, June 12, at 10:30 a.m. at the Immaculate Conception Church in Pine City, with Father Michael Lyons officiating.

His legacy of love for family, involvement and vitality for life will continue to be an inspiration to us all. In life he was teaching us, in his passing he taught us. Rest in the peace and love of the Lord, and meet us at heaven's gate when it is our turn.

Thomas graduated from the College of St. Thomas and William Mitchell School of Law. He served in the U.S. Navy as Lieutenant J.G. 1943 to 1946. After discharge he practiced law in the Milaca area. During the Korean War he was appointed Special Assistant U.S. District Attorney in the prosecution of OPS violations. He was appointed Assistant City Attorney for the city of St. Paul, and served for six years. Through the Minnesota Attorney General's Office he was a special assistant in the trial of jury cases in highway condemnation matters and in writing opinions on municipal law. He was state representative of the old 55th district. In 1962 he ran for the office of state senator in the new 21st district comprising of Chisago, Isanti, and Pine Counties. He served as Pine County At-

torney from 1974-1980, until his retirement, at which time he continued his private practice in the Pine County area until his passing.

Preceding him in death are his first wife Eileen (Fitzgerald), parents Thomas and Alice (Doyle) Ryan, brother Dr. James Ryan, son Thomas, infant Mary, grandson Patrick Johnson, and numerous other relatives. Survived by second wife of over 42 years, Miriam, 13 children, 42 grandchildren, 36 great grandchildren.

Visitation and prayer service at Swanson Funeral Chapel, Pine City, Sunday, June 11, 4:00 p.m.-7:30 p.m. Funeral mass and burial are Monday, June 12, 10:30 a.m. at the Immaculate Conception Church.

## THE HEART OF SOLID GOLD

By Gloria Baker

Dad was the man with a solid gold heart from other men this set him apart.

A husband, a father, and a dad too, for anyone can be a father but only someone special can be a dad.

He was a friend and teacher and sometimes was even a preacher to this I'll explain.

As a lawyer his love was to keep law and order that was at times so trying for support he could have used a brick wall filled with mortar.

He lived life following his golden rule. His convictions so strong he was stubborn as a mule

"Innocent until proven guilty" Much time spent representing family and friend, defending, prosecuting and closing reality.

An exceptionally special adult generous to a fault.

Many times working gratis whether intended or not, often putting him in a spot.

He'd give away his last dime and the shirt off his back.

Well known for the gift to talk of which one dared not balk.

He once aspired to be a district court judge. Served the people as he represented us in the days long before politicians toured on bus.

All of his life he remained active often entering into debate that became reactive.

With a passion for politics he was staunchly Democratic Farmer Labor, the DFL this was no secret everyone could tell.

Verbally opinionated carrying on conversations until someone surrenders or when he would become satiated.

A strong Catholic and love of god There were Wednesday night family Rosary meetings

first come got the best seating there were no pressures just told to come if you could.

Though we sometimes were too tired, we felt like we should.

Many trips by plane, boat, rail, or in the car with mom they would go far.

The Caribbean, Mexico, Canada, Africa, Spain and Ireland.

All over the states in this great big beautiful land

The car was pre-programmed to stop at P.Q.s From this we have all learned to take the cue.

Eating healthy a must in the banana split he put his trust

Playing cards he was sharp; 500 or bridge on rotating teams he would play.

His partner of choice was mom Often a winner he would beam



for they made the best team.

Like a cowboy ready to draw

Sitting in his electronic easy chair he was armed with a remote in each hand with a push of a button it would boost him to stand.

Chocolates or ice cream along side he surfed the channels with all of his might. He watched the TV news that kept him in light

For lady luck he did look like searching through the pages of a great new book. A favorite machine he did have it was the slot called one-eyed jacks.

Like life, it was a gamble bells and whistles sometimes would ramble.

His family his pride and joy as if they were a child's new toy.

He puffed up his chest bigger than the rest. Filled with love he would always brag.

Like a lion I must boast proudly of this man we called dad, husband and friend. Until the very end a handsome Irish man.

Full of dignity, pride, peace, and grace sometimes as delicate as fine lace, always, and even with his failing health he gave us a wealth of gifts to carry in our hearts.

Numerous wonderful "I Love You's" as if he couldn't tell us enough from this man he who sometimes played tough.

Hand dances, singing the Rose of Tralee, conversations, or just smiles, and those beautiful dancing Irish eyes all never to part.

His golden heart of love stopped beating and with that a part of ours did too, but his legacy of love for family, involvement and vitality for life will continue to be an inspiration to us.

In life he was teaching us in his passing he taught us.

Rest in the peace and love of the Lord, Dad, and meet us at heavens gate when it is our turn.

#### PERSONAL EXPLANATION

#### HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mrs. JONES of Ohio. Mr. Speaker, on June 22, 23 and 26, 2000, had family commitments and missed rollcall votes 315, 316, 317, 318, 319, 320, 321, 322, 323 and 324. I ask that the record reflect that had I been present, I would have voted "aye" on rollcall votes 315, 316, 317, 318 and 319. Also the record should reflect I would have voted "no" on rollcall votes 320, 321, 322, and "aye" on rollcall vote 323 and "no" on rollcall vote 324.

#### McNULTY, HIGGINS HONORED FOR OLD KING COAL DAY PROGRAM

#### HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Carol McNulty, a teacher at Edward Mackin Elementary School in Wilkes-Barre, and the Newspaper in Education program of the Citizens' Voice, which is run by Debby Higgins. Carol and Debby will be coming to Washington to receive an award from

the Newspaper Association of America for their Old King Coal Day project.

The NAA will present them with one of its Newspaper Innovators in Education Awards on July 14, and they will also be participating in a week-long educational seminar as guests of the NAA. They in turn will present the Old King Coal Day program to Newspapers in Education people from across the country.

This project began as a way to teach a new generation of children about the history of Northeastern Pennsylvania, especially the role that the anthracite coal mining industry played in the region's development. Through the efforts of many people, Old King Coal Day became a reality on Sept. 23, 1999 at Edward Mackin Elementary School.

Students listened to speeches about the Molly Maguires and breaker boys, watched presentations about mining tools and equipment, and learned about the area's coal heritage. The organizers felt the day was a success and are planning a second Old King Coal Day for September at the Pringle Street Elementary School in the Wyoming Valley West School District. This spring, I visited with the students at Mackin elementary and can attest to the enthusiasm Ms. McNulty has generated. Old King Coal Day stimulated the students to seek a postal stamp honoring coal miners. On their behalf, I recently submitted to the Citizens' Stamp Advisory Committee the petitions that the students circulated, bearing more than 2,000 signatures.

One of the fourth-grade students, Stephen Grobinski, whose great-great-grandfather was killed in a coal mine, wrote an especially moving letter to the head of the Citizens' Stamp Advisory Committee explaining why a coal miners stamp would be important to him. I would like to have this letter reprinted in full below

DEAR DR. VIRGINIA NOELKE: We want you to issue the stamp, because we want to honor the dead miners. How would you feel if your dad, grandpa, uncle, and your friends died in a mine? My great, great grandpa died in the mines. How do you think other people feel? I don't feel happy. They probably feel sad that their dads, grandpas and uncles died.

We did lots of projects for "Old King Coal Day." We did it to honor all the miners. I know somewhere in your heart you feel sad. If you don't, I can't understand why. People say that children can make a difference, and that is our goal.

One thing I want to know is why did you say no to all the people that asked you to issue the stamp? I hope you listen to us. If you say yes, I know that all the little people like me can make a difference in our lives. I said little people could make a difference because all my life I gave up, but this time I'm not going to give up! This is one thing that I want to accomplish! I want a stamp to honor the coal miners. Please, say you will grant my special wish.

Sincerely,

STEPHEN GROBINSKI.

The NAA award, which is a monetary prize, will be shared by the Wilkes-Barre Area School District, which participated in the First Old King Coal Day, and the Citizens' Voice NIE program.

Mr. Speaker, I think it is also worth noting that Carol McNulty has been named The Citizens' Voice Teacher of the Year. Both Carol McNulty and Debby Higgins are to be commended for their fine work with our young people and for ensuring that our history is passed on to future generations.

I also congratulate the Newspaper Association of America for creating this program to encourage newspapers to become more actively involved in schools. Our democracy depends on well-informed citizens, and this program helps to develop our young people into the active citizens of tomorrow.

I am pleased to call the service of Carol McNulty and Debby Higgins and their well-deserved honors to the attention of the House of Representatives, and I send my best wishes for continued success.

#### IMPLEMENTATION OF THE NAZI WAR CRIMES DISCLOSURE ACT

#### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. LANTOS. Mr. Speaker, earlier this week, the Subcommittee on Government Management, Information, and Technology held a particularly important hearing on the implementation of the Nazi War Crimes Disclosure Act (P.L. 105-246). That hearing was held under the very able leadership of our distinguished colleague from California, STEPHEN HORN. Chairman HORN has shown unwavering support and a deep personal commitment to bring to justice Nazi war criminals through the full declassification of documents in possession of the National Archives and Records Service. His strong leadership was essential in the passage of the Nazi War Crimes Disclosure Act two years ago.

Mr. Speaker, I would also like to thank the current Ranking Member of the Subcommittee, Congressman JIM TURNER, and the former Ranking Member, Congressman DENNIS KUCINICH, for their unwavering commitment to declassification issues in the pursuit of Nazi war criminals and human rights offenders around the world. Special recognition and appreciation should also be given to Congresswoman CAROLYN MALONEY, who introduced the Nazi War Crimes Disclosure Act in the House and who has been a leader on these issues.

Mr. Speaker, the successful implementation of any bill passed by Congress must be measured against the goals we set out to achieve. The goal of the Nazi War Crimes Disclosure Act is to declassify and make public any remaining documents in U.S. possession concerning Nazi crimes, criminals and looted property. At the same time this "right to know" must be balanced against legitimate reasons to continue to withhold certain documents. Since we are dealing with documents that are now half a century old, however, there clearly should be a bias in favor of declassification.

In compliance with Section 2 (b)(1) of the Nazi War Crimes Disclosure Act, President Clinton issued Exec. Order 13110 on January 11, 1999, which created the "Nazi War Criminal Records Interagency Working Group (IWG)." This organization was established to resolve the conflict between the policy requirement for public disclosure with the need for confidentiality of records and documents because of national security requirements. I want to pay tribute to the members of the IWG. No matter how well intended and carefully crafted legislation is, the people who are chosen to implement it have a great impact upon assuring that the intention of the Congress is met. The efforts of the IWG have been outstanding.

The Members of the IWG are Chairman Michael J. Kurtz of the National Archives and Records Administration (NARA), Thomas H. Baer of Steinhardt Baer Pictures Company, Richard Ben-Veniste of Weil, Gotshal & Manges, John E. Collingwood of the FBI, former Congresswoman Elizabeth Holtzman, Kenneth J. Levit of the CIA, Harold J. Kwalwasser of the Office of the Secretary of Defense (OSD), William H. Leary of the National Security Council staff, David Marwell of the U.S. Holocaust Memorial Museum, Eli M. Rosenbaum of the Office of Special Investigations at the Department of Justice, and William Z. Slany of the Department of State. In addition, a Historical Advisory Panel composed of seven outstanding historians supports the IWG in their endeavors. Two historians, in particular have played a critical role in the work of the IWG—Dr. Richard Breitman and Dr. Timothy Naftali.

Mr. Speaker, this has been a mammoth undertaking. In its interim report on the implementation of the Nazi War Crimes Disclosure Act—a report which is mandated in Sec. 2 (c)(3) of the Act the IWG reported that all agencies completed a preliminary survey of their records which could potentially be covered by the Act's requirement for declassification review. In the first year of its operations, the IWG has screened over 600 million pages of material to identify potentially applicable files, principally at the CIA, Department of Defense, FBI, and archival records in the National Archives. During this initial screening, some 50 million pages of material meeting the criteria of the legislation has been identified and is being further screened to determine if declassification is covered by terms of the Nazi War Crimes Disclosure Act.

This process is massive and tedious. An enormous amount of material needs to be categorized, catalogued, and systematically searched. In the all too frequent absence of an existing catalogue system responsive to the special focus outlined in the Nazi War Crimes Disclosure Act, a line-by-line review of many, many documents has often been required.

Mr. Speaker, additional problems have occurred when documents are found which were given to the United States by allied foreign intelligence services with the understanding that the United States would not publicly disclose them. Special permission to make such documents public in many cases has required careful negotiation.

Despite these problems, in its short life span, the IWG has released 400,000 pages of documents which are now available to the public at the National Archives and Records Administration. In addition, the IWG has published "finding aids" to the records on Nazi war crimes and Holocaust-era assets which are housed at the National Archives in College Park in order to make the released documents more easily accessible and useable to the general public.

Mr. Speaker, while the Nazi War Crimes Disclosure Act authorizes the funds necessary to conduct all this work (Sec. 2(b)(d) ), the IWG did not receive any appropriations for its heroic effort. The Office of Special Investigations (OSI) of the Department of Justice made available \$400,000 for IWG support from an appropriation related to the Act. The National Archives, which is charged by the President with the administrative support of the IWG, will

provide from its own budget nearly \$1 million in staff and other support services by the end of FY 2000. This support falls far short of what is required to satisfy the requirements of the Act.

In addition, the Nazi War Crimes Disclosure Act imposes a "Sunset Provision" of 3 years after enactment of the bill (Sec. 2(b)(1) ). Mr. Chairman, I believe that the monumental task we as Members of Congress have given to the IWG cannot be fully completed in this time. Additional time certainly will be required.

Mr. Speaker, let us never forget why these very able people work extremely hard to bring justice to victims and survivors of the Holocaust. It is simply unconscionable that war criminals can escape justice—many times by hiding in the U.S. It is essential that we work so that family members of the victims of Hitler's tyranny can know the fate of their loved ones, and that assets illegally seized from the victims not remain forever hidden.

Mr. Speaker, as this review clearly demonstrates, we have made incredible progress in opening up United States archives to records relating to the war crimes and the crimes against humanity that were perpetrated by the government of Nazi Germany.

The Nazi War Crimes Disclosure Act (Sec. 2(c)(1) ) defines Nazi war criminal records as those pertaining to persons who have committed their crimes under the direction of, or in association with the Nazi government of Germany, any government in occupied territories established by military forces, any collaborator government, or any government which was an ally for the German Nazi government. This broad definition clearly includes—and the Congress intended that it include—records relating to the Imperial Japanese government and atrocities that were committed under its responsibility throughout Asia.

I welcome and fully support the decision of the IWG to move now to wartime records relating to Imperial Japan in an effort to bring to light the war crimes that were committed by units of the Imperial Japanese military forces during World War II. The task of dealing with the Japanese records are more difficult. This requires the assembly of a whole new team of scholars and historians, and different language capability is required for these documents than is required for the Nazi German records.

Mr. Speaker, I commend the members of the IWG for their remarkable efforts. I also commend Chairman HORN for holding the hearings to review the implementation of the Nazi War Crimes Disclosure Act. The task which is established in the legislation is an important one as we work to bring a conclusion to this chapter in our history.

#### SENSE OF THE HOUSE CONCERNING USE OF ADDITIONAL PROJECTED SURPLUS FUNDS TO SUPPLEMENT MEDICARE FUNDING

SPEECH OF

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2000*

Mr. BENTSEN. Mr. Speaker, the Balanced Budget Act of 1997 (BBA) and programmatic changes by the Health Care Financing Admin-

istration have resulted in America's health care providers undergoing great fiscal adversities. BBA-compelled reductions to the Medicare program have resulted in cost reductions far greater than anticipated. Mr. Speaker, since the Balanced Budget Act of 1997, which I supported, cuts in payment rates to Medicare health care providers have been far more significant and onerous than anticipated. As a result, many health care plans have withdrawn or are being forced to withdraw from the Medicare+Choice program because of inadequate reimbursement rates, particularly in rural areas.

Since passage of the BBA in 1997, Medicare spending is projected to have been reduced by more than \$226 billion—nearly \$123 billion more than Congress intended with the passage of the BBA. To alleviate some of these reductions, Congress passed, with my support, the Balanced Budget Refinement Act of 1999 (BBRA). Nevertheless, according to the Congressional Budget Office's (CBO) projections, reductions to the Medicare program are more than four times the \$15 billion Congress added as part of the BBRA.

For years, I have been saying we can and must do more to address this healthcare problem. Today, with the CBO estimating that the non-Social Security surplus to the federal budget will exceed \$40 billion, the Congress has no excuse but to address this healthcare problem.

This measure expresses the "sense of Congress" that the House of Representatives that, upon receipt of midyear Congressional Budget Office (CBO) re-estimates of the non-Social Security surplus, should promptly assess the budgetary implications of such re-estimates and provide for appropriate adjustments to the Medicare program during this legislative session.

I would note that just last week, President Clinton proposed \$21 billion over five years and \$40 billion over ten years in restorations for these providers. Regrettably, the flawed Republican prescription drug bill that passed the yesterday failed to include restoration of these BBA cuts, as the President has advanced.

The Democratic Medicare prescription drug plan, that the Republicans were scared to allow this body to vote on yesterday, included these payment restorations. This resolution is a belated recognition by the Republican leadership that the improved budget outlook with larger projected surpluses not only makes these payment adjustments possible, but makes them essential.

Mr. Speaker, in light of economic performance that far surpasses any expectations, I ask my colleagues in the House to join me in further relieving some of the unanticipated effects of the BBA 1997 and join me in supporting H. Res. 535.

#### INTRODUCTION OF THE NATIONAL FLOOD INSURANCE PROGRAM FAIRNESS ACT OF 2000

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. STARK. Mr. Speaker, today I am introducing the National Flood Insurance Program

Fairness Act of 2000. This February many of my constituents were placed into a special hazard flood zone, a designation which necessitated the purchase of flood insurance. These residents were not notified that they would be required to purchase flood insurance until two months or less before the maps became effective, even though the law is supposed to give them six months notice. This exacerbated an already difficult situation, as residents who had not seen flooding in decades or a lifetime had little notice to purchase costly insurance.

Several residents who did not believe they were in the flood zone hired a surveyor at their own expense. The data provided by this private surveyor resulted in their homes being removed from the special hazard flood zone. While these residents were not required to purchase flood insurance, they did spend over \$200 each for the surveyor. They were told by FEMA that they were responsible for that expense, even though the mistaken flood zone classification was made by the county engineers.

Clearly the national flood insurance program needs to be revised to give homeowners more notice and due process. That's why I am proposing this legislation.

The National Flood Insurance Program Fairness Act of 2000 would do the following: Require the FEMA Director to notify by registered mail the Chief Executive Officer of each community affected by changes in Flood Insurance Rate Maps. The Director will be required to provide a copy of the revised map, along with a statement explaining the process of appeal. The director will also provide the affected community sufficient information to identify which homes are affected. Require the Director to notify by registered mail the Chief Executive Officer of each community of FEMA's response to the community's appeal of the flood insurance rate maps. Require the Director to notify by first class mail each owner of property affected by the changes in the flood insurance rate maps. Require FEMA to reimburse a resident for reasonable costs incurred in connection with a surveyor or engineer for an appeal to the Director which is successful. This does not include legal services incurred by the resident.

It is my hope that the legislation will allow communities to better work with FEMA to ensure that residents are given sufficient, fair, and timely notice if they will be required to purchase flood insurance.

#### PERSONAL EXPLANATION

#### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. OBERSTAR. Mr. Speaker, during the consideration of H.R. 4762, legislation to require Section 527 disclosure, my vote was not recorded on final passage.

Had I been present, I would have voted "aye" on Rollcall 341. I ask unanimous consent that my statement appear in the RECORD after Rollcall Vote 341.

#### TRIBUTE TO THE LATE SERVICE-MEN OF USAAF B-17 40-2072

#### HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. GARY MILLER of California. Mr. Speaker, I rise today to recognize and honor forty American soldiers killed over fifty-seven years ago in a terrible aviation accident. This mishap occurred in Bakers Creek, Queensland, Australia on 14 June 1943. At the time, it was not only the worst aviation accident in Australia, but also the worst aviation accident of World War II.

The aircraft was operated by the United States Army Air Force 46th Transport Carrier Squadron, 317th Troop Carrier Group (46TCG) of the 5th Air Force, United States Army Air Force, and was one of many B-17 aircraft removed and converted from combat status and placed with the 46th as a transport aircraft. Shortly after takeoff from the Mackay airport in Bakers Creek, Australia, their B-17 flying Fortress lost altitude, falling to the earth in a slow and steady bank and crashed in a ball of flames. In addition to the six crew members, thirty-five soldiers were on board, returning to their posts after being on leave in Mackay. Their names, rank, and units follow:

Crew: 1/Lt. Vern J. Gidcumb, Pilot, 317th Troop Carrier Group, 46th Troop Carrier Squadron; F/O William C. Erb, Co-Pilot, 317th Troop Carrier Group, 46th Troop Carrier Squadron; 2/Lt. Jack A. Ogren, Navigator, 317th Troop Carrier Group, 46th Troop Carrier Squadron; S/Sgt. Lovell Dale Curtis, Crew Chief, 317th Troop Carrier Group, 46th Troop Carrier Squadron; S/Sgt. Frank E. Whelchel, Crew Chief, 374th Troop Carrier Group, 22nd Troop Carrier Squadron; Sgt. David E. Tileston, Radio Operator, 317th Troop Carrier Group, 46th Troop Carrier Squadron.

Passengers: Pfc. Arnold Seidel, 5th Air Force, 415th Signal Company; Pvt. Ruben L. Vaughn, 5th Fighter Command, HQ Squadron; T/5 George A. Ehrman, 5th fighter Command, Signal HQ Company; S/Sgt. Roy A. Hatlen, 35th Fighter Group, 40th Fighter Squadron; S/Sgt. John W. Hilsheimer, 35th Fighter Group, 40th Fighter Squadron; Sgt. Dean H. Busse, 35th Fighter Group, 40th Fighter Squadron; Cpl. Raymond H. Smith, 35th Fighter Group, 40th Fighter Squadron; Maj. George N. Powell, 49th Fighter Group, HQ Squadron; Pfc. Jerome Abraham, 49th Fighter Group, Hq Squadron; Pvt. Charles, D. Montgomery, 49th Fighter Group, 7th Fighter Squadron; Capt. John O. Berthold, 49th Fighter Group, 8th Fighter Squadron; Sgt. Carl A. Cunningham, 49th Fighter Group, 8th Fighter Squadron.

Sgt. Charlie O. LaRue, 49th Fighter Group, 8th Fighter Squadron; Sgt. Leo. E. Fletcher, 38th Bombardment Group, 405th Bombardment Squadron; Sgt. Donald B. Kyper, 38th Bombardment Group, 405th Bombardment Squadron; Cpl. Franklin F. Smith, 38th Bombardment Group, 405th Bombardment Squadron; T/Sgt. James A. Copeland, 8th Service Group, HQ Squadron; Cpl. Charles W. Sampson, 8th Service Group, 11th Service Squadron; Pfc. Dale Van Fosson, 8th Service Group, 1160th Quartermaster Company; Pfc. Kenneth W. Mann, 36th Service Group, 374th Service Squadron; Pfc. Charles M. Williams, 455th Service Squadron; T/5 William A. Briggs,

478th Service Squadron, 1037th Signals; Cpl. Edward Tenny, 479th Service Squadron.

Pfc. Norman J. Goetz, 480th Service Squadron; Pfc. Frederick C. Sweet, 481st Service Squadron, 46th Ordnance Company; T/Sgt. Alfred H. Frezza, 27th Depot Repair Squadron; Cpl. Jacob O. Skaggs, Jr., 27th Depot Repair Squadron; Pvt. James E. Finney, 27th Depot Repair Squadron; Pvt. Raymond D. Longabaugh, 842nd Aviation Engineer Battalion; Cpl. Marlin D. Metzger, 374th Troop Carrier Group, 6th Troop Carrier Squadron; Pfc. Frank S. Penska, 374th Troop Carrier Group, 6th Troop Carrier Squadron; Sgt. Anthony Rudnick, 565th Signal Battalion, Company A; Pfc. Vernon Johnson, 440th Signal Battalion, Company A; Pfc. John W. Parker, 809th Chemical Company.

Mr. Speaker, although these men came from twenty different states, were from many different walks of life, and served in many different units, their common purpose was one: service to our nation. Until recently, the details of this mishap were classified by the Air Force, but now that the incident is available for public attention, I desire to honor the memory of these fine young men.

I applaud the efforts of people like Mr. Colin Benson, who is a historian for the Mackay chapter of the Returned and Service League (RSL) of Australia. Mr. Benson's devotion to obtaining the records of the incident and seeking recognition for these men has been long and arduous. As an Australian, Mr. Benson's dedication to our American soldiers is commendable. Rarely does a foreign country applaud the efforts and sacrifices of another, and strive so hard to honor their dead. I also applaud Mr. Eugene D. Rossel's commitment and dedication to the disclosure of this terrible mishap. He is that type of American who will not rest until heroes like the men I listed above are recognized for their personal sacrifice.

Mr. Speaker, I ask that we give thanks to all our veterans for the sacrifices they made for our great nation. Unfortunately, we must also live with the knowledge that some of our servicemen and women do not live long enough to become veterans. They give their lives so that ours might be better, and the men of B-17 40-2071 did no less. May we continue to recognize and memorialize our fallen servicemen and women, long into the future.

#### CONGRATULATING 30 SIXTH GRADERS OF SHADY LANE ELEMENTARY SCHOOL

#### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 29, 2000

Mr. ANDREWS. Mr. Speaker, I rise today to commemorate a great day, on which 30 sixth grade students from Shady Lane Elementary School reached all of the appropriate levels on their Terra Nova test. Ms. Pat Campanile's sixth grade class is an outstanding group of young people. I wish the best of luck to the following group of sixth graders: Pedro Alvarez, Angelica Beltran, Jeffrey Clement, Da Juane Collins, Shannon Costro, Casaundra Davis, Erin Feeney, Julia Fluke, Kalem Francis, Lacey Hall, Matthew Hanratty, Gina Hinchliffe, Darrell Jenkins, Sachi Jonas,

Lauren Jordan, Debbie King, Jonathan Lawrence, Robert Murningham, Brittney Nock, Christopher Perez, Jenna Perez, Andre Robinson, Charmel Sippio, Amanda Smith, Krystle Snyder, Michael Solvibile, Patricia Stout, Prunell Thurman, Philip Washington.

#### PERSONAL EXPLANATION

#### HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. MANZULLO. Mr. Speaker, on Monday evening, June 26, 2000, there was a series of votes called for the bill providing appropriations for the departments of Commerce, Justice and State, and the Judiciary—H.R. 4690. I was unavoidably delayed due to mechanical problems and personnel issues with not one, but two different, airlines. Consequently, I was delayed to the point of missing several votes.

Had I been present for roll call vote 322, the Sanford Amendment numbered 33 printed in the CONGRESSIONAL RECORD to strike the \$8.2 million appropriation for the Asia Foundation in the Department of State, I would have voted Aye.

Had I been present for roll call vote 323, the Olver Amendment numbered 72 printed in the CONGRESSIONAL RECORD to add a new proviso into the bill (relating to the Kyoto Protocols) which clarifies that the limitations on funds shall not apply to activities which are otherwise authorized by law, I would have voted Nay.

Had I been present for roll call vote 324, the Hostettler Amendment numbered 23 printed in the CONGRESSIONAL RECORD to add a new section which provides that no funds in the bill may be used to enforce, implement, or administer the provisions of the settlement document dated March 17, 2000, between Smith and Wesson and the Department of the Treasury, I would have voted Aye.

Had I been present for roll call vote 325, the Vitte amendment numbered 77 printed in the CONGRESSIONAL RECORD to add language to the bill prohibiting the use of funds by the State Department to approve the purchase of property in Arlington, Virginia by the Xinhua News Agency, I would have voted Aye.

Finally, had I been present for roll call 326, final passage for the bill, H.R. 4690, I would have voted Aye.

#### PERSONAL EXPLANATION

#### HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mrs. CLAYTON. Mr. Speaker, I was unavoidably detained and missed Rollcall vote No. 319.

Had I been present, I would have voted nay on rollcall No. 319, the Waxman amendment to H.R. 4690—Commerce-Justice-State Appropriations.

HONORING THE CAREER OF SHIRLEY FEIRER, PRESIDENT OF THE DEPARTMENT OF MICHIGAN VETERANS OF FOREIGN WARS AUXILIARY

#### HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Ms. STABENOW. Mr. Speaker, I would like to recognize the years of dedication and service of Shirley Feirer to the Veterans of Foreign Wars Auxiliary. Ms. Feirer will be concluding her year of outstanding service as President of the Department of Michigan VFW Auxiliary on July 1, 2000 at the Department Convention in Dearborn, Michigan.

President Feirer first joined the Auxiliary in October 1983 with her husband Joseph, who served in World War II in Europe. In 1990 she was appointed as District 10 President, which she performed simultaneously with her newly elected position as Washington Township Supervisor. In 1997, she was chosen to serve as all State President. Elected as a Guard with the Department of Michigan in 1994, Ms. Feirer proceeded through the chairs to become State President in 1999.

Over the past year, Shirley has logged many miles to visit the 279 VFW auxiliaries that make up the Michigan Department. She has not only traveled the state of Michigan, she has represented the over 3,000 Michigan auxiliary members at national conventions. She has balanced all of this with her role as Washington Township Supervisor, Mother of three sons, five step-children, twelve grandchildren, one great grandchild and caretaker of her mother.

Today I would like to thank Shirley for her years of service and her dedication to the veterans who have so nobly served our country. The foundation that Ms. Feirer helped to build will remain for future generations. I wish her the very best as she steps down as President. I am sure she will continue to be a valuable asset to the VFW Auxiliary in the future.

#### PERSONAL EXPLANATION

#### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. FILNER. Mr. Speaker, on Thursday, June 28, I missed a series of votes due to the death of my father. Had I been here, I would

have voted as follows: Rollcall #352—yes, Rollcall #353—yes, Rollcall #354—yes, Rollcall #355—no, Rollcall #356—yes, Rollcall #357—no.

SHEPPARD AIR FORCE BASE AND COMMUNITY FREEDOM FEST COMMEMORATION

#### HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2000*

Mr. THORNBERRY. Mr. Speaker, I would like to take this opportunity to commemorate the contributions of the men and women who have served America while stationed at Sheppard Air Force Base, Wichita Falls, Texas and members of the community during their Independence Day celebration.

The Sheppard Air Force Base July 4th, 2000 Freedom Fest is a celebration of freedom recognizing the contributions and sacrifices of patriots in the past and celebrating the promise of America's future. In honor of this event and these contributions, I enter the following proclamation into the official record of today.

Whereas the friendship and understanding between the men and women of Sheppard Air Force Base and Wichita Falls, Burkburnett, Iowa Park, and other North Texas communities are indicative of the strong civil-military support so essential to America's strength;

Whereas since its beginnings in 1941 as a training base for B-25 and B-26 aircraft mechanics, Sheppard Air Force Base has continued to play an essential role in training so many of America's sons and daughters in critical skills that enabled us to win the Cold War;

Whereas it should be acknowledged the men and women of Sheppard Air Force Base host Freedom Fest—a day of family fun—in appreciation and gratitude of the military and civilian patriots of the past and present so committed to the preservation of freedom;

Therefore, let it be known that the Sheppard Air Force Base Freedom Fest celebration is a commendable event celebrating freedom, liberty, community support, and friendship.